

**SILVERTHORNE TOWN COUNCIL MEETING
 AGENDA FOR WEDNESDAY, JANUARY 14, 2015- 6:00 PM**



- I. CALL TO ORDER/ ROLL CALL/APPROVAL OF AGENDA**
- II. STAFF COMMENTS..... 1**
- III. COUNCIL COMMENTS**
- IV. CONSENT CALENDAR**
 - A. Town Council Meeting Minutes, December 10, 2014 9
 - B. Resolution 2015-01, Designations of Official Places for Posting Public Notices 15
 - C. Approval of Revocable License Agreement, Hamilton Creek mailboxes in Town
 Right Of Way 17
- V. CITIZEN’S COMMENTS***
- VI. LIQUOR BOARD**
 - A. Old Chicago– Renewal of Hotel & Restaurant Liquor License 23
 - B. Bamboo Garden – Renewal of Hotel & Restaurant Liquor License..... 36
 - C. Temporary Liquor Permit – Town of Silverthorne dba Silverthorne Pavilion..... 39
- VII. PUBLIC HEARINGS**
- VIII. DISCUSSION ITEMS**
- IX. EXECUTIVE SESSION**

Executive Session under Charter section 4.13 (c) and CRS 24-6-402(4)(b) and (e) to receive legal advice and to instruct negotiators regarding the Blue River Trail, Cultural Arts and the Silverthorne Town Center.
- X. INFORMATIONAL**
 - A. SPORT Committee Meeting Minutes, November 21, 2014 43
 - B. September 2014 Sales Tax Report 45
 - C. EDAC Meeting Minutes, January 6, 2015 49
- XI. ADJOURNMENT**

Citizens making comments during Citizen’s Comments or Public Hearings should state their name and address for the record, be topic specific, and limit comments to 3-5 minutes. Council may add citizen Comment items as an Action Item by motion; however, the general policy is to refer citizen comments for review and recommendation. Public presentations must be pre-arranged a week in advance with the Town Manager and limited to 10 minutes.

**COUNCIL WORK SESSION:
 TOPIC:**

**JANUARY 13, 2015 – 6:00 P.M.
 JOINT EDAC /TOWN COUNCIL MEETING &
 DISTRICT DESIGN STANDARDS**

**SILVERTHORNE TOWN COUNCIL WORK SESSION
PUBLIC ISSUES SCHEDULE
2015**

*The Council Work Sessions are held every 2nd and 4th Tuesday of each month and begin at 6:00 p.m. with open discussions. The following issues will be addressed from 6:15 p.m. until completed. Additional items to be discussed will be scheduled as time permits.
"OPEN" indicates a topic has not yet been selected.*

JANUARY 27

JOINT PLANNING COMMISSION /TOWN
COUNCIL MEETING

FEBRUARY 10

JOINT SPORT/TOWN COUNCIL MEETING

FEBRUARY 24

OPEN

MARCH 10

WILDFIRE COUNCIL

MARCH 24

OPEN

FUTURE WORK SESSION DISCUSSION ITEMS:

January 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 Rec Center Hours: 10:00 am—6:00 pm	2 Summit Music & Arts Concert—Pavilion	3
				TOS Holiday		
4	5	6 EDAC Planning Commission	7	8	9	10
11	12	13 Work Session	14 Council Meeting	15 SPORT Meeting	16 Country Western Dance—Pavilion	17
18	19	20 Planning Commission	21 Court	22	23 Employee Appreciation Party— Pavilion	24 Brewer's Rock for Rescue—Pavilion
25 Twilight Skate— North Pond Park	26	27 Work Session	28 Council Meeting	29	30 Payroll	31

February 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 Planning Commission	4	5	6 Father Daughter Date Night —Pavilion PM	7
					Payroll	
8	9	10 Work Session	11 Council Meeting	12	13 Valentine's Comedy—Pavilion	14 Pond Hockey Tournament—North Pond
15 Pond Hockey Tournament—North Pond	16 President's Day Pond Hockey Tournament—North Pond	17 Planning Commission	18 Court	19 SPORT Meeting	20 Country Western Dance—Pavilion Payroll	21
22	23	24 Work Session	25 Council Meeting	26	27	28
No School - Winter Break						

March 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
		EDAC Meeting Planning Commission			Stargazing Snowshoe—Angler Mountain Trail Payroll	
8	9	10	11	12	13	14
		Work Session	Council Meeting			
15	16	17	18	19	20	21
		Planning Commission	Court		Country Western Dance—Pavilion Payroll NO SCHOOL	
22	23	24	25	26	27	28
		Work Session	Council Meeting	SPORT Meeting		Girl Scout Water Fun Day—Rec Center
29	30	31				
		Planning Commission				

April 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2 Registration for Summer Programming— 12:00 noon	3 Payroll	4
5	6	7 Work Session	8 Council Meeting	9	10 Payroll	11
	No School—Spring Break					
12	13	14 Planning Commission	15 Court	16 SPORT Meeting	17 Country Western Dance—Pavilion Payroll	18
19	20	21	22	23	24	25
		28 Work Session	29 Council Meeting	30		
26	27					

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Susan Schulman, Executive Assistant to the Town Manager *SS*
DATE: January 8, 2015 for Meeting of January 14, 2015
SUBJECT: Staff Comments

Attached please find the Staff Comments and Updates for the January 14, 2015 Town Council Agenda and Meeting. This includes:

1. Administrative Services Update
2. Public Safety Update
3. Public Works Update
4. Community Development Update
5. Recreation & Culture Update

ACTION REQUIRED

No action is required; these items have been submitted for informational purposes.

Administrative Services – January 8, 2015

2015/2016 Budgets – The Town does a two-year budget cycle every two years. In 2014, we've produced the 2015 and 2016 budgets. As part of the two-year budget we produce a Biennial Budget Document. The 2015 and 2016 Biennial Budget Document is currently being written. The goal is to have it completed by the end of January. The 2015 Budget in Brief document is available on our webpage and at the Town Hall front desk.

Fiscal Year 2014 – While the calendar says 2014 is long-gone; we still are working on 2014 financials and will be for most of the first part of 2015. In January we are working on paying the last of 2014 invoices and collecting revenues due to the Town from 2014. We should have all of the 2014 invoice paid by the first accounts payable run in February. While most 2014 revenues will be received in January, the Town's largest revenue source, sales taxes, will not be completely paid until we receive the County portion of December's sales taxes in early February. By all appearances we'll finish the year with higher revenues than budgeted and lower expenditures than budgeted.

Other 2014 related items are the reconciliation of the Town's bank statements and the many line items that require review. From there we'll move to preparing for the annual audit which is scheduled for the middle of March.

Fiscal Year 2015 – While we continue closing out 2014 we must move forward with 2015! The budget has been loaded and many reports have been distributed to the departments so they're aware of their spending capabilities this year. Purchase orders are being opened for 2015.

There are many asset management projects (AMP) scheduled for 2015. We're meeting with the various AMP committees (i.e. building, parks etc...) to understand what projects weren't completed in 2014 and what we need to get completed in 2015. We'll be preparing project lists and timelines for the capital and AMP projects so to help track and delegate.

Payroll – The start of a new year also has our payroll and human resource people working hard! For 2014, we have many State and Federal reports that require completion. The important process of preparing and distributing W2's is under way. The deadline for distribution is no later than January 31st. There are several year-end reports that need to be completed and submitted as well.

The first payroll cycle of 2015 took place this week. It required resetting beginning year balances and clearing 2014 activity. More importantly it required that 2015 benefit changes are setup properly as this is the first payroll for 2015 benefit deductions. An eye for detail has been more necessary this payroll than others. Because the first payroll in 2015 is for 2014 hours worked, we won't be doing any pay market adjustment changes to employee profiles until the second payroll. By February all of the first of the year activity should be completed.

Pavilion Liquor License – Our staff has been taking the lead on applying for the Pavilion Liquor License which will transfer the current license holder's licenses, All Seasons Catering, to the Town of Silverthorne. The first step, the transfer, is on this next week's

Liquor Board's agenda. The Town will be taking over the concession duties at the Pavilion starting on the 15th of January.

Water/Sewer Bills – The 4th quarter water and sewer bills are being prepared and will be mailed/emailed this week. We've included a brief newsletter on the back of the bills that explains upcoming rate increases, some requests/information from the water department and a reminder as to short-term renting within the Town.

Public Safety – January 8, 2015

Incidents – On 12-07-14 Officer Quintana, Officer Tarnoff, and Sergeant Siebel responded to a domestic situation. Upon their arrival they observed a female, holding a baby exit the residence in a panic. As she shouted for help a male party came out behind her and dragged her back inside the unit, while she was trying to resist, and slammed the door behind them. The officers quickly entered the unit fearing for the woman's safety. They observed the woman was bleeding from her head, was crying, and she again asked for help. The male was taken into custody and charged with multiple felony counts for his assault on her.

On 12-28-14 Silverthorne Officers were dispatched to an armed robbery at the Old Chicago restaurant. Officers from several Summit County agencies arrived quickly, searched the area and secured the scene of the crime. The officers determined two people came into the restaurant, ate dinner, had drinks then threatened the manager with a gun and left the restaurant with a large sum of money. Unfortunately the couple who committed the robbery were able to evade incoming officers and have not been located as of yet. Fortunately, officers and detectives were able to obtain quite a bit of physical evidence, have located other jurisdictions where the couples have hit in other parts of the state. We have received multiple leads to follow up on.

On 01-02-15 Silverthorne Officers and members of Lake Dillon Fire Rescue were called to an address on Highway 9 for the report of a structure fire. Our officers arrived first and quickly determined there was an occupant inside the residence. Due to the severe intensity of the fire, officers could not safely get inside despite their best efforts. The information was relayed to the fire department who immediately went inside with protective gear. Firefighters were able to retrieve a person from inside the house but were unable to save him. The fire was extinguished quickly and there were no other victims. The case remains under investigation to determine the cause.

In addition to the above officers handled 32 motor vehicle crashes, took six theft complaints, handled two criminal mischief cases, arrested three people with warrants, worked two trespass cases, looked into two harassments, arrested one DUI, had a couple of welfare checks, made an arrest for violation of restraining order, attempted to locate a couple of missing juveniles, worked an assault case, had numerous other agency assists, handled two intoxicated people, took one lost and found complaint, and completed many business and area checks. Officers also issued multiple traffic citations and warnings.

Feedback from the community – We have received a multitude of positive responses to our annual Adopt-an-Angel program, from recipients of gifts to community members and

business owners. Officer Watson received a couple of thank-you notes for his professionalism. Detective Barger and Sergeant Higby received kudo's from the District Court Judge for outstanding work on several cases.

Department Training – Chief Hanschmidt and Sergeant Osborn attended a marijuana laws class put on by the State to cover the ever changing laws surrounding amendment 64. Sergeant Higby attended a week-long class designed to guide new supervisors with their change in duties. Detective Barger attended a class to become a school resource officer, which has been mandated by the state for departments with schools in their jurisdiction. The department also completed an on-line dog training/animal behavioral class, mandated by the state.

Staffing – The Department is fully staffed although we have two officers in training. Officer Quintana is nearing the end of his FTO program and continues to do well. Officer Siderfin has returned from the academy and is starting his FTO program and has been excelling, as expected.

Public Works – January 8, 2015

Streets – We are busy plowing, sanding and working on various ice issues around Town. The recent few warm days have also brought forth numerous potholes, mostly in Highways 6 and 9, which we help address since CDOT typically can't get to them in a timely manner. We have arranged with CDOT to use their patch material when we patch their potholes. We are also working with CDOT to begin installation of new street name signs on some of the mast arms in Town. The new signs will meet new size and reflectivity standards. All of our street name signs will have to comply by the end of the year, so we will be replacing all signs this year.

North Pond – We have 16 inch ice depth now at North Pond, so we will be able to use some larger equipment to plow as needed. The largest we use is a pickup plow. We are keeping the full area plowed that will be needed for the pond hockey tournament next month.

Parks – Holiday lights will remain on until the end of January. Parks staff does the daily cleaning at Willow Grove, Tot Lot, and North Pond restrooms, as well as all sidewalk and path plowing.

JSA – The nutrient removal project continues with expected completion late next summer. Lots of activity going on inside the plant, both by our contractor as well as by our own staff.

Utilities – Utility staff is busy with various maintenance work to all of our systems, as well as working with contractors on the various construction projects around Town.

Projects – Directors continue meeting to lay out the schedule for all of this year's projects, both capital and asset management, including who is responsible, when we plan to bid and build, and what our expected completion dates are. The tennis courts at Rainbow are out to bid now with 7 plan holders. The Pool Pak replacement project is in the hands of our consultants and will soon be out too. Design of the pool pump and filtration room is underway.

Traffic signal maintenance agreement – We have contracted with WL, the company who installed both Town owned traffic signals, to provide regular maintenance on the two Town signals. These are the two on Wilderest Road, one at Stephens and one at Adams.

Community Development Department – January 8, 2015

Blue River Trail – The wetland mapping for Segment 6 has been completed and the ACOE reviewed and approved the delineation. The design has been modified and the next step would be to acquire the necessary easements.

Angler Mountain Ranch – Staff has had meetings with the developer concerning the continuation of the development of Anger Mountain Ranch and the public infrastructure.

Xcel Substation – An agreement is in place for the road restoration of Bald Eagle Road. The overhead lines have been removed across Smith Ranch and the substation is on line.

District Design Standards – Lina Lesmes has been meeting with a subcommittee made up of EDAC and Town Council members to discuss revisions to the District Design Standards. These standards will set the guidelines for development within the Town commercial districts. Planning Commission has also reviewed these draft standards.

Parks, Open Space, and Trails (POST) Master Plan – The SPORT Committee and Planning Commission have reviewed the POST plan and have adopted a Resolution in support of the approval of the plan. Town Council approved the plan in December.

South Maryland Creek Ranch – Staff and Town Council has met with the applicant concerning the proposed Major PUD Amendment for South Maryland Creek Ranch. The applicant has submitted for the Major PUD Amendment.

Lake Dillon Theatre – A design charrette was held at OZ Architecture in Denver for the design of the Lake Dillon Theatre.

Promotion and Recruitment – Matt Gennett has been promoted to Planning Manager and will oversee the day to day planning operations within the Department. The Community Development Department will then be recruiting for a Planner I/Community Service Officer.

Current Applications – The following is a list of applications which have been submitted to the Community Development Department and are currently being processed (ex parte rules apply):

- South Maryland Creek Ranch – Major PUD Amendment
- Ox Bow Replat
- SMCR Replat
- Foxfield Townhomes – PUD

Recreation and Culture – January 8, 2015

Recreation Center – Steven Herrman, Facility Coordinator is pleased to announce that we

have hired our very first Head Custodian, Jim Doocy. Jim began employment January 5th and has been immersed in training ever since. He is learning about his job standards and duties as well as the Town's structure, operations and values. Jim is very excited about his career here with the town and reports that he "has learned more about the Town of Silverthorne in two days than he ever could imagine." This new position was added to the Town's 2015/2016 budget to account for the additional cleaning and maintenance that is needed due to the recent Recreation Center expansion. The Head Custodian will lead the other three full time custodians by monitoring daily tasks, completing supplies orders, and facilitating communication. The custodians have traditionally been part of the Public Works Department, but are now a part of the Recreation and Culture Department.

The Recreation Center ended 2014 on a high note with a very busy holiday season. We experienced some of our busiest days on record when the temperatures dipped and people flocked to our warm pools and newly renovated workout facilities. Financially, the holiday season ended with a slight increase in revenues from last year. But, as for actual visitor numbers, there was an increase of approximately 2,000 visits over the 2013 holiday numbers. Some busy days saw over 1,000 guests, but the highest was December 30th when over 1,500 people visited the center. The increased usage, without a large financial difference, is explained with punch passes. Many locals purchased punch passes earlier in the month or year, and brought those passes in over the holidays. Punch passes are transferrable, so they are a great way to reduce costs when friends and families are visiting. Regardless, this was one of our busiest holiday seasons and it was a great success. Staff's spirits were high and we made it through with only a few minor incidents and accidents.

Suzanna Barth, Aquatics Program Manager, is offering a no-cost swimming program to help introduce youth to safe behavior around water, self-survival skills, and swimming as a lifetime activity. The program is being offered to 2nd graders in the four elementary schools on this side of the County. The program consists of 3 classes where students will receive a 30 minute lesson and optional open swim time after the lesson. Currently, 82 students are enrolled.

Donated two, 5-punch passes to 50+ Winter Games. The value of each pass is \$60.

SPORT – The SPORT Committee has begun their goal setting process for 2015. A joint meeting with Council and SPORT will take place during the February 10th Council work session meeting. At that time, SPORT will present their proposed goals to Council and be available to discuss any other items at Council's request.

Pavilion – Town of Silverthorne, in conjunction with Summit Music and Arts and the Dercum Center for the Arts, hosted "A New Year in Summit County – An Evening of Chamber Music for the Season", at the Pavilion on Friday, January 2nd. Approximately 200 people enjoyed an evening of chamber music, which included a harp, flute, clarinet, violin, and piano. The piano was brought into the building by Schmidt Music out of Denver and was placed in the center of the main hall to present an "in the round" setting to guests. We received excellent feedback and feel that the event attracted a new group of attendees to the Pavilion, some of which had never been to an event at the Pavilion. We even heard folks say that this was one of the most memorable events that they had attended in Summit County! We look forward to growing this partnership in the future.

Brewers Rock for Rescue will take place at the Silverthorne Pavilion on Saturday, January 24th from 5:00 p.m. to 9:00 p.m. There will be twenty breweries on site providing samples of their awesome craft beer, as well as live music provided by Oakhurst and Euforchestra. Summit County Search and Rescue Group will host a silent auction and will be selling commemorative event t-shirts. All proceeds from the silent auction and t-shirt sales will go to benefit Summit County Search and Rescue group. We have secured a handful of sponsors for this event, including Turner Morris and Krystal 93 and are working on a stage sponsor for the event. Tickets are \$25 in advance and \$35 at the door and we are encouraging people to get their tickets in advance, as tickets are limited and we do anticipate this event selling out.

The Pavilion had a great 2014, hosting just over 220 events, Recreation Center programs, interdepartmental uses, etc., serving approximately 29,000 guests. Of those, roughly 145 were events that include weddings, quincenearas, fundraisers, community events, and granted uses, which served just over 22,000 guests. We look forward to a successful 2015 with the big change this year being providing bar services in-house.

Upcoming Pavilion Events:

Jan 8	Yoga
Jan 10	FIRC Kids Party
Jan 12	Business Lecture
Jan 13	Yoga
Jan 13	PD Training
Jan 14	Zumba
Jan 14	PD Training
Jan 15	Yoga
Jan 15	PD Training
Jan 16	Country Dance
Jan 17	Wedding
Jan 18	Wedding
Jan 19	Wedding

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Town of Silverthorne
Council Agenda Memorandum

TO: Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Susan Schulman, Executive Assistant to the Town Manager *SS*
DATE: December 30, 2014
SUBJECT: Town Council Meeting Minutes from December 10, 2014

SUMMARY: Staff asks the Town Council to approve the Town Council Meeting minutes from December 10, 2014.

STAFF RECOMMENDATION: Staff recommends approval of the Minutes from the meeting.

PROPOSED MOTION: Included in the Consent Calendar motion.

ATTACHMENTS:
Meeting Minutes

MANAGERS COMMENTS:

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, December 10, 2014

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members Jon Bird, Derrick Fowler, Peggy Long, Russ Camp, Stuart Richardson and Ann-Marie Sandquist. Staff members present were, Town Manager Ryan Hyland, Attorney Jerry Dahl, Chief Mark Hanschmidt, Administrative Services Director Donna Braun, Recreation Director Joanne Cook, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Senior Planner Matt Gennett and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook updated Council on the Recreation Center's successful winter registration day. She informed Council about a new event at the Town Pavilion January 24, 2015, Brewer's Rock for Rescue that includes 24 breweries from around the state that will be serving up their brews, while guests enjoy live music on the Pavilion stage. Summit County Search and Rescue will be selling swag for the event and all those proceeds will go benefit the Rescue Group.

Hanschmidt invited Council to volunteer at the 20th annual Adopt an Angel, December 18, at the Silverthorne Pavilion.

Long challenged the other Council member to donate \$100 to the Adopt an Angel program.

Butler thanked Chief Hanschmidt for all of his efforts on the Adopt an Angel Program. He thanked Gerald Dahl, Town Attorney for his 30 plus years of working for the Town of Silverthorne.

COUNCIL COMMENTS:

Fowler asked about the new proposed Osprey Days Event, August 10th.

Don Hansen described the SPORT Committees' thoughts for the new event.

CONSENT CALENDAR:

CAMP MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE NOVEMBER 5, 2014 SPECIAL MEETING AND TOWN COUNCIL MEETING MINUTES, NOVEMBER 12, 2014, RESOLUTION 2014-20; A RESOLUTION APPROVING A FRONT LOADER LEASE PURCHASE, REPLAT – THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO.3 – SECOND AMENDMENT AND RECOMMENDED CHANGES TO 2015 PERSONNEL POLICIES. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

CITIZEN COMMENTS:

None.

LIQUOR BOARD:

- A. All Season Catering – Renewal of Tavern Liquor license
- B. Escalante Three Peaks, LP -Raven Golf Club – Renewal of Hotel & Restaurant Liquor License

SANDQUIST MOVED TO APPROVE ALL SEASON CATERING – RENEWAL OF TAVERN LIQUOR LICENSE AND ESCALANTE THREE PEAKS, LP - RAVEN GOLF CLUB – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

MARIJUANA BOARD

A. TZ Financial, LLC dba High Country Healing – Renewal of Retail Marijuana License

B. TZ Financial, LLC dba High Country Healing – Renewal of Medical Marijuana License

Nick Brown, 191 Blue River Parkway, thanked Council; it's been wonderful doing business in Silverthorne for 5 years.

RICHARDSON MOVED TO RENEW TZ FINANCIAL, LLC DBA HIGH COUNTRY HEALING –APPLICATION FOR RETAIL AND MEDICAL MARIJUANA STORE LICENSES. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

PUBLIC HEARINGS:

A. Resolution 2014-15; a Resolution Amending and Updating the Parks, Open Space and Trails Master Plan

Joanne Cook, Recreation and Culture Director, presented Resolution 2014-15 for Council's consideration. She reviewed the history and the need for a new Parks, Open Space and Trails Master Plan. She reviewed the staff report and recommended approval.

Travis Beck, SE Group, presented a short PowerPoint presentation on a few of the changes to the Parks, Open Space and Trails Master Plan.

Butler stated there is so much information in the Parks, Open Space and Trails Master Plan document, he encouraged everyone to read it. It really pushes the envelope for ideas. The idea was to think outside the box and the Town can really dig into it.

Public hearing opened, no comment, public hearing closed.

Council comments.

Camp stated he has been involved in the process for some time and he is really proud of the end result.

Sandquist feels like the document came together really quick. She thanked staff and SE Group for the huge amount of work that went into it. It is a very useful document.

Fowler feels the document captures what Silverthorne is and what want we want to be.

Butler thanked SE Group and staff for a job well done

SANDQUIST MOVED TO APPROVE RESOLUTION NO. 2014-15 A RESOLUTION AMENDING AND UPDATING THE TOWN OF SILVERTHORNE PARKS, OPEN SPACE AND TRAILS MASTER PLAN. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Ordinance 2014-16; a 2014 Appropriations Ordinance, 2nd Reading

Donna Braun, Finance Director, presented Ordinance 2014-16 an appropriation ordinance amending the 2014 budget to allow for the adjustment to revenues and expenditures as related to operations, capital projects, and transfer. She reviewed the staff memo dated 11-6-2014 and recommended approval.

Public hearing opened, no comment, public hearing closed.

LONG MOVED TO ADOPT ORDINANCE NO. 2014-16 ON SECOND READING, AN ORDINANCE AMENDING THE 2014 BUDGET AS PRESENTED. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

ACTION ITEMS:

A. Resolution 2014-18; a Resolution Amending the Revised and Restated 2013 Silverthorne Urban Renewal Plan

Ryan Hyland, Town Manager, presented Resolution 2014-18 for Council's consideration. He reviewed the two property owners' request to be included in the Town's Urban Renewal Plan area. He reviewed his staff report and requested approval.

CAMP MOVED TO APPROVE RESOLUTION 2014-18; A RESOLUTION AMENDING THE REVISED AND RESTATED 2013 SILVERTHORNE URBAN RENEWAL PLAN AND FINDING THAT THE AMENDMENT TO THE REVISED AND RESTATED SILVERTHORNE URBAN RENEWAL PLAN, AS AMENDED HEREBY, IS A MINOR MODIFICATION AND THAT ADOPTION OF THE REVISED SILVERTHORNE URBAN RENEWAL PLAN IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE CITIZENS OF THE TOWN OF SILVERTHORNE, CO. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

DISCUSSION ITEMS:

None.

WORK SESSION

Long brought up a possible conflict of interest with the South Maryland Creek Ranch work session item. Her son-in-law, Shane, works for a contractor that is building a home for Tom Everest. He works for South Maryland Creek Ranch.

Tom Everest, described Shane's role working for them building a new family home. He doesn't feel that there is a conflict of interest as long as there is transparency.

Dahl noted that the Home Rule Charter, 3.9, Conflict of Interest states, only the Council as a whole can vote on whether a Council member has a conflict under Charter 3.9. The Council determines if there is a substantial personal or financial interest or not. The affected Council member does not vote on the question of whether a conflict exists.

Council questioned Long on her son-in-law's role in building a house for Tom Everest, South Maryland Creek Ranch.

Council does not feel that there is a current conflict of interest but asked to be kept in the loop if anything changes in the future.

SANDQUIST MOVED DECLARE NO CONFLICT OF INTEREST AND FOR LONG TO CONTINUE TO PARTICIPATE IN COUNCIL CONSIDERATION OF THE SOUTH MARYLAND CREEK RANCH PROJECT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (LONG ABSTAINED).

South Maryland Creek Ranch (SMCR)

Matt Gennett, Senior Planner, informed Council that the representatives of SMCR have requested a work session to present information on their project and are requesting Council make comments pertaining to the proposed 240 unit density and metro district.

Tom Everest, introduced his team. Paul Books Chief General Manager, Steve West, Attorney, Matt Ruhland, Joanna Hopkins and Elena Scott.

Joanna Hopkins, presented a power point presentation on the proposed 240 units and metro district.

SANDQUIST MOVED TO GO INTO EXECUTIVE SESSION AT 7:53 P.M. UNDER CHARTER SECTION 4.13(c) AND SECTION 24-6-402(4)(b) AND (e), C.R.S., TO RECEIVE LEGAL ADVICE AND TO INSTRUCT NEGOTIATORS REGARDING SOUTH MARYLAND CREEK RANCH AND ECONOMIC DEVELOPMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

EXECUTIVE SESSION:

Executive session under Charter Section 4.13(c) and Section 24-6-402(4)(b) and (e), C.R.S., to receive legal advice and to instruct negotiators regarding South Maryland Creek Ranch and Economic Development.

EXECUTIVE SESSION RECESSED AT 9:30.

THE URBAN RENEWAL AUTHORITY MEETING CONVENED AT 9:35 AND ADJOURNED AT 9:55.

THE EXECUTIVE SESSION RECESS CONCLUDED AND EXECUTIVE SESSION RE-CONVENED AT 9:57.

INFORMATIONAL:

- A. EDAC Meeting Minutes, November 4, 2014
- B. SPORT Meeting Minutes, October 16, 2014
- C. Planning Commission Meeting Minutes, November 18, 2014
- D. September 2014 Sales Tax Report

SANDQUIST MOVED TO ADJOURN. MOTION SECONDED. EXECUTIVE SESSION CONCLUDED AND MEETING ADJOURNED AT 10:20 P.M.

BRUCE BUTLER, 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.

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
FROM: Michele Miller, MMC, Town Clerk 
DATE: January 2, 2015 for meeting of January 9, 2015
SUBJECT: Resolution 2015-01 - Designation of Official Places for Posting Notices

SUMMARY: The Colorado Sunshine Act of 1972 requires municipalities to designate the official locations for posting notices each year. This Resolution would designate the same locations as the Resolution adopted last year.

BACKGROUND:

PREVIOUS COUNCIL ACTION: Same posting places designated in past years.

DISCUSSION:

STAFF RECOMMENDATION: Staff recommends approval of posting places

PROPOSED MOTION: I move to approve the consent calendar.

ATTACHMENTS:

MANAGER'S COMMENTS:

TOWN OF SILVERTHORNE, COLORADO

RESOLUTION NO. 2015-01

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SILVERTHORNE, COLORADO, DESIGNATING A PUBLIC PLACE FOR
POSTING MEETING NOTICES DURING THE CALENDAR YEAR 2015**

WHEREAS, the Colorado Open Meetings Law requires that all meetings at which the adoption of any proposed Town policy or other formal action be held only after full and timely notice to the public; and

WHEREAS, Section 24-6-402 (2) (c) requires Town Council to designate a public place for posting notices of any such meetings; and

WHEREAS, this designation must occur annually at the first meeting of each calendar year; and

WHEREAS, the bulletin board located at the main floor lobby and the bulletin board located in the second floor lobby of the Silverthorne Town Hall, at 601 Center Circle, Silverthorne, Colorado, and the entrance lobby of the Silverthorne Recreation Center at 430 Rainbow Drive, Silverthorne, Colorado, has previously been and is hereby again designated as the place for such postings.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of SILVERTHORNE, Colorado that:

SECTION 1: Pursuant to Section 24-6-402 (2) (c) of the Colorado Revised Statutes, the bulletin board located at the main floor lobby and the bulletin board located in the second floor lobby of the Silverthorne Town Hall, at 601 Center Circle, Silverthorne, Colorado, and the entrance lobby of the Silverthorne Recreation Center at 430 Rainbow Drive, Silverthorne, Colorado.

SILVERTHORNE, Colorado, is hereby designated as the appropriate place for posting public notices of all regular and special meetings of the Town Council and its designated boards and commissions, unless otherwise designated, for the calendar year 2015.

SECTION 2: All such notices, except those of emergency meetings, shall be posted at this designated place at least 24 hours prior to the holding of the respective meeting.

READ, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE,

COLORADO THIS 14th DAY OF JANUARY 2015.

Bruce Butler, Mayor

ATTEST:

Michele Miller, Town Clerk

Town of Silverthorne
Council Agenda Memorandum
Consent Calendar

TO: Mayor Bruce Butler and Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Bill Linfield, Public Works Director
DATE: January 8, 2015
SUBJECT: Approval of a License Agreement with the Hamilton Creek Metropolitan District (HCMD) allowing for installation and maintenance of Cluster Mailboxes at the corner of Allegra Lane and Hamilton Creek Road

SUMMARY: This License Agreement will address existing and one new proposed cluster mailbox at the corner of Allegra Lane and Hamilton Creek Road. This License Agreement specifies that all installation, maintenance, and insurance costs for these boxes will be borne by the HCMD. The existing cluster boxes at this location are not currently covered by such an agreement, as at the time of the original approval the Town did not require this.

PREVIOUS COUNCIL ACTION: Council has previously approved the same license agreement with the WillowCreek Highlands HOA for cluster mailboxes location in the Eveningstar Court area.

BACKGROUND: Several years ago the Town allowed the HCMD to install cluster mailboxes at the subject location. The boxes were placed in such a way as to not interfere with use of the same area for both a Summit Stage Bus turnaround as well as a Town snowplow turnaround, and the joint uses seem to function fine together. Since that original installation, the Town has adopted formal policies for Cluster Mailboxes, and we now require a formal License Agreement as part of the approval process. HCMD recently approached the Town seeking permission to add one more box and staff has determined that there is room to do so, but is requiring HCMD to do a License Agreement for all of the boxes at this time. The license agreement has been signed by HCMD, and prior to installation of the new box the required insurance will be provided. This License Agreement specifies that all installation, maintenance, and insurance costs will be borne by the HCMD. Use of these boxes is limited to Hamilton Creek and South Forty subdivisions.

STAFF RECOMMENDATION : Staff recommends that Council approve the License Agreement as presented and authorize the Mayor to sign it on behalf of the Town.

Town of Silverthorne
Council Agenda Memorandum

PROPOSED MOTION: "I MOVE TO AUTHORIZE THE MAYOR TO SIGN THE LICENSE AGREEMENT WITH THE HAMILTON CREEK METROPOLITAN DISTRICT ALLOWING FOR INSTALLATION AND MAINTENANCE OF CLUSTER MAILBOXES AT THE INTERSECTION OF ALLEGRA LANE AND HAMILTON CREEK ROAD

MANAGER'S COMMENTS:

Town of Silverthorne
Council Agenda Memorandum

REVOCABLE LICENSE
Hamilton Creek HOA
Cluster Mailboxes on Hamilton Creek Road

THIS REVOCABLE LICENSE AGREEMENT ("License") is given this ____ day of _____, _____, by the TOWN OF SILVERTHORNE, COLORADO (hereinafter "Town"), to Hamilton Creek HOA, whose address is _____, (hereinafter "Licensee"), together referred to herein as the "Parties."

RECITALS:

A.The Town is the owner of certain real property located within the County of Summit, State of Colorado, more particularly described as the Public Street ROW for Hamilton Creek Road and Allegra Lane in the area near North Pond Park (the "Licensed Area").

B.Licensee desires to install and maintain cluster mailboxes for use by its members for receiving delivery of US Mail.

C.Private use of Town owned property requires a license agreement outlining the terms and conditions of that private use.

LICENSE

FOR AND IN CONSIDERATION OF the mutual promises and covenants contained herein, the payment to the Town by Licensee of Ten Dollars and other good and valuable consideration, the delivery, receipt and acceptance of which are hereby acknowledged and confessed, the Parties agree as follows:

1. Grant of License

The Town hereby grants to Licensee a License over and across the Licensed Area, specifically the center of the snow plow and bus turnaround at the intersection of Hamilton Creek Road and Allegra Lane, for the purposes and subject to the restrictions set forth herein. Use of the Licensed Area shall be for the Licensee, Town and for general public access.

2. Acknowledgment of Licensee

Licensee acknowledges that the Town's grant of this License does not grant any prescriptive rights in the Licensed Area to Licensee, and recognizes that the Licensed Area is held by the Town in trust for the benefit of the general public. Licensee further acknowledges the existence and applicability of Silverthorne Home Rule Charter, Section 12.11 which provides:

Revocable Permits

The Council may grant a permit at any time for the temporary use or operation of any street, alley or Town owned place, provided such permits shall be revocable by the Council at its pleasure, regardless of whether or not such right to revoke is expressly reserved in such permit.

3. Limitations on Use of the Licensed Area

a.The Licensed Area may be used only for the following purposes: Installation, maintenance, and use of cluster mailboxes to allow for delivery of US Mail for residents of Hamilton Creek and South Forty Subdivisions only.

b.Licensee shall install cluster mailbox improvements within the Licensed Area in accordance with a Site Plan approved by Town Staff. Licensee shall maintain the improvements within the Licensed Area including but not limited to, general upkeep, snow shoveling, painting, concrete base maintenance, and pavement maintenance caused by licensee use of the Town ROW. Prior to installing additional boxes Licensee shall notify the Town.

c.Licensee shall maintain the cluster mailboxes within the Licensed Area, to the reasonable satisfaction of the Town.

d.This License is not exclusive. The Town reserves the right to make or permit such use of the Licensed Area as is not incompatible with the uses permitted to Licensee.

e.Upon termination of this License for any reason, the Town has the right to require the Licensee to remove all or any portion of the improvements that it deems appropriate. Any remaining improvements shall become and remain the property of the Town.

f.Licensee's use of the Licensed Area shall always and continuously be in compliance with all applicable Federal, State and local rules and regulations, specifically including those contained in the Silverthorne Town Code and associated regulations.

Town of Silverthorne
Council Agenda Memorandum

4. Damage

The Town shall not be liable for damage, restoration or reconstruction to the improvements caused by or occurring in connection with any work on the Town property or the Town Easements, or relating to the Town operations and maintenance by the Town or its authorized contractor.

5. Insurance

Licensee hereby covenants and agrees at all times during the term of this License to cause to be maintained comprehensive general liability insurance against all claims for personal injury, death, or property damage occurring on Licensed Area with minimum limits of liability of One Million Dollars (\$1,000,000) per person, One Million Dollars (\$1,000,000) per occurrence and Five Hundred Thousand Dollars (\$500,000) property damage. Licensee shall provide a certificate of insurance to the Town once annually.

6. Indemnification

Licensee, for itself, its successors-in-interest and assigns, hereby indemnifies and holds the Town harmless for and against any and all claims for injury or damage, including costs and attorney fees, arising out of its use and occupation of the Licensed Area pursuant to the License hereby granted.

7. Term of License; Revocation

This License shall be in force and effect from the date first set forth above until such time as the Parties agree to terminate the License, provided that the Town shall have the right to terminate this License upon 30 days' notice to Licensee with or without cause.

8. Severability; Enforceability; Validity

If any term, covenant, condition or provision of this License or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of this License or the application for such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall be valid and enforced to the fullest extent provided by law. Licensee agrees that if and to the extent this License conflicts with the Town's obligation to hold the Licensed Area in trust for the public, this License shall be declared invalid.

9. Binding Effect

This License shall be binding upon and inure to the benefit of the Parties hereto and their respective personal representatives, successors and assigns.

9 Recording
This License shall be recorded at the Licensee's expense, with the Summit County Clerk and Recorder.

IN WITNESS WHEREOF, the Town and Licensee have executed this instrument the day and year first above appearing.

THE TOWN OF SILVERTHORNE, COLORADO
ATTEST:

Michele Miller, Town Clerk

Bruce Butler, Mayor

Hamilton Creek Metro District

Town of Silverthorne
Council Agenda Memorandum

STATE OF COLORADO)

) ss.

COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015 by
_____.

Witness my hand and official seal.

My Commission expires: _____

Notary Public

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU : Ryan Hyland, Town Manager *RH*
FROM: Michele Miller, MMC, Town Clerk *mm*
DATE: December 26, 2014 for meeting of January 14, 2015
SUBJECT: Liquor license renewal for Local Authority Consideration

SUMMARY:

The Liquor Board is asked to approve the liquor license renewals for Old Chicago and Bamboo Garden.

BACKGROUND:

A. Old Chicago– Renewal of Hotel & Restaurant Liquor license

The applicant has submitted a renewal application for Old Chicago. The background investigation completed by the Police Department is attached. The two alcohol incidence reports during 2014 are also attached. The Police Department has verified that all the employees who sell or serve liquor have successfully completed a TIP's alcohol training program. The Police Department recommends renewal of the liquor license.

B. Bamboo Garden – Renewal of Hotel & Restaurant Liquor License

The applicant has submitted a renewal application for Bamboo Garden. The background investigation completed by the Police Department is attached. The Police Department has verified that all the employees who sell or serve liquor have successfully completed a TIP's alcohol training program. The Police Department recommends renewal of the liquor license.

DISCUSSION:

Financial Implications: Each individual liquor license applicant is required to submit both local licensing fees and state licensing fees as set forth by the Colorado Liquor Enforcement Division. These fees are submitted with the application materials.

STAFF RECOMMENDATION:

Staff recommends approving the renewal application. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

PROPOSED MOTION:

I MOVE TO APPROVE OLD CHICAGO AND BAMBOO GARDEN, RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSES.

ATTACHMENTS:

Liquor license renewal application and Police Department memo.

MANAGERS COMMENTS:



601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498
(970) 262-7320 • Fax (970) 262-7315

DATE: January 7, 2015
TO: Michele Miller
FROM: Officer Anne Baldwin
SUBJECT: Background check for liquor license or 3.2% fermented malt beverage license application for Old Chicago.

Since their last application, Old Chicago has had some alcohol-related incidents. Please see the attached reports for details of these violations. Every incident was unrelated. Only one of these incidents was proven to be the fault of the establishment.

The employees of Old Chicago attended a TIPS class which I co-taught this past summer and they are certified. This fulfills Town of Silverthorne code 2-8-18, *Education Requirements*.

Based on the background information of the Silverthorne Police Department, we request this business be granted this renewal license with the condition no other liquor-related violations occur in the following 12 month period. The Silverthorne Police Department will no longer grant any warnings for liquor violations during this time period.

Reviewed by

Chief of Police
Mark Hanschmidt

01-08-15
Date

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	
Warehouse Branch Permit \$100 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO ADDRESS ABOVE BY DUE DATE BELOW

Licensee Name WADSWORTH OLD CHICAGO, INC.		DBA OLD CHICAGO		
Liquor License # 22834890004	License Type Hotel & Restaurant (city)	Sales Tax License # 224834890004	Expiration Date 1/24/2015	Due Date 12/10/2014
Street Address 560 SILVERTHORNE LN SILVERTHORNE CO 80498				Phone Number (303) 664-4083
Mailing Address 8001 ARISTA PL STE 500 BROOMFIELD CO 80021				
Operating Manager Bill Poppie	Date of Birth 5/10/73	Home Address PO Box 381, Frisco, CO 80443		Phone Number (970) 468-2882

1. Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease 10/31/2015

2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: if you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.

3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO

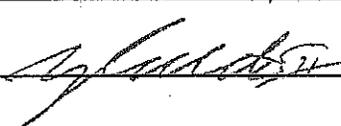
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO

5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO

6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Mike Mvlik	Title Vice President
Signature 	Date 10/2/14

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council / Liquor Board
THRU: Ryan Hyland, Town Manager
FROM: Mark Hanschmidt, Chief of Police 
DATE: May 21, 2014 for Work Session on May 27, 2014
SUBJECT: Alcohol Violation – Old Chicago's / Rock Bottom Restaurants

SUMMARY: On May 12, 2014 at about 12:40am, Silverthorne Police Officers were dispatched to Old Chicago's, 560 Silverthorne Lane for a medical, a report of an intoxicated male who fell off a bar stool and hit his head. When officers arrived they observed a man being helped to a booth within the bar area. He had blood on the back of his jacket and an employee was holding a bar towel to the back of his head, which also had blood on it. Sgt. Siebel observed the man who was clearly intoxicated, unsteady on his feet, a strong odor of an alcoholic beverage on his breath, thick slurred speech with bloodshot eyes. When asked how much he had to drink, the man replied "plenty". EMS arrived and transported the man to Summit Medical Center via ambulance.

Sgt. Siebel and Officer Baldwin contacted the bar tender and manager. The bar tender said the man, who is a regular, entered the bar about 10:30pm and was served a beer at about 11:10pm, not knowing his level of intoxication. The man drank about half of the beer and the bartender removed the beer when the increased level of intoxication was observed.

On Monday May 12th Sgt. Siebel went to Old Chicago's and met with the bartender and manager. He explained the police departments concerns of over service and allowing an intoxicated person to remain in the bar. He told the bartender she did the right thing by removing the beer once she noticed the level of intoxication. He also explained this is the second alcohol violation in two months. Sgt. Siebel issued both bartender Krissy Kastner and manager Nicholas Headley a written warning for the violation. It was explained a third violation will result in a summons into court. Sgt. Siebel told them both this will be forwarded to the Silverthorne Liquor Board for their review.

BACKGROUND: The Town Council / Liquor Board had asked staff to keep them apprised of any and all incidents involving violations at liquor establishment within the Town. The goal was to be informed of all incidents so there was no surprise when a liquor license was before Council / Liquor Board for renewal.

PREVIOUS COUNCIL ACTION: None.

DISCUSSION: This incident occurred under the current liquor license holder Old Chicago / Rock Bottom Restaurant. Old Chicago has had incidents in the past, the most recent one 03-01-14, a direct violation of Colorado law. That incident was an over service issue which was handled appropriately by discontinuing service to the patron. Officers could not determine over service by Old Chicago's bar staff since the man went to his room and continued to consume more alcohol. The employees may consume

Town of Silverthorne
Council Agenda Memorandum

alcohol after the bar is closed but having customers sitting with them and alcohol on the table after 2:00am is a violation of Colorado State Law.

STAFF RECOMMENDATION: Since this is the second violation at Old Chicago's within two months, I recommend a mandatory written warning to both parties involved and a meeting with the General Manager to express our growing concerns. This memo will be placed in the liquor application folder and held for a 1 year period. This reminder will be helpful to identify any further violations that may occur.

Old Chicago / Rock Bottom Restaurant renewed their liquor license on January 24, 2014 and will renew January 23, 2015.

ATTACHMENTS: Town of Silverthorne Case Report 2014-2150

*Request is Letter From G.M. on How this Problem
can be Fixed.*

Letter - G.M. to TGS Liquor Board.

6/5/2014

City of Silverthorne

My name is Bill Poppie and I am the general manager of Old Chicago. I have been running this restaurant for 4 years and have been with Old Chicago for 12 years now. I am writing this letter in regards to the incident on May 12 at our restaurant. I am embarrassed that this has happened and have never had a violation in my 25 years in the restaurant industry. We strive to provide a safe, fun environment for guest to come in and enjoy. We are diligent in making sure our staff is certified in the safe service of alcohol. I will not make an excuse for what happened. I will tell you that this has been addressed with the staff that was involved and they understand the severity of what is at stake. Our liquor license and livelihood is at stake and we take this very seriously. We are sending the staff that was involved back through our certification class. We have talked to all of our staff about the importance of responsible alcohol service. I have spoken with all of my managers about this issue and their responsibility of being on the floor watching staff and guest interaction regardless of the time of day. We need to be diligent in our role of coaching and teaching our staff. We have worked with staff with some role playing exercises on what to do and how to handle this type of situations. This will continue to be a focus for myself and my team. We will do everything in our power to make sure that nothing like this happens again. We want to be a good community member and will take steps on a daily basis to make sure we are properly serving alcohol at all times. Please feel free to contact me with any questions or concerns.

Thank you,

Bill Poppie

General Manager

Old Chicago Silverthorne

970.468.2882

970.443.5534 cell

Mark Hanschmidt

From: Mark Hanschmidt
Sent: Tuesday, May 27, 2014 9:51 PM
To: Anne Baldwin
Cc: Ryan Hyland; Bryan Siebel
Subject: Old Chicago's Liquor Violation

Anne,

Tonight at the council work session, we discussed the liquor violation which occurred May 12th. The council (TOS Liquor Board) has requested the GM put together a letter discussing a plan of action, how Old Chicago's is going to address the violation they have received.

The GM needs to understand the Liquor Board has the authority to suspend liquor sales and impose fines. The Liquor Board wants to work with all our businesses but require safe operations.

I would like a letter within two weeks, prior to the next council meeting. Please let me know if you have questions.

Chief Mark Hanschmidt
Town of Silverthorne
mhanschmidt@silverthorne.org
970-262-7332

Silverthorne Police Department

Case # 2014-2150

Case Narrative

Sergeant Siebel reporting:

NARRATIVE:

On 05-12-14 at 0042 hours I was dispatched to an intoxicated person / medical at Old Chicago, 560 Silverthorne Lane, Town of Silverthorne, Summit County, Colorado. I arrived shortly after the call was aired and entered the establishment from the door that leads into the La Quinta Hotel.

When I walked into the bar area I observed a waiter whom I knew from previous encounters, Justyn Barton (dob: 07-04-89), helping an unknown male walk west towards a booth to have him sit down. I also observed the bartender whom I also knew from previous encounters, Krissy Kastner (dob: 04-29-86), standing behind the bar. There was one other staff member present, the manager whom I also knew, Nicholas Headley (dob: 10-12-79). I surmised the unknown male was the person I had been called for as I saw he had some blood on the back of his jacket and was holding a rag with blood on it.

I went to the booth Barton had assisted him to and I identified the male as Jon Witkowski (dob: 04-18-69), through his Colorado License. Witkowski was AAOx2 (alert and oriented to person and place, but not time or event). As he was speaking I could smell the odor of an unknown alcoholic beverage on his breath and he admitted to drinking alcohol. Witkowski's eyes were red and watery with droopy eyelids, his speech was slow and I had witnessed, as he walked with Barton, that he was unsteady on his feet. Although he was able to answer my questions I had to repeat some things a couple of times for him, ie: if he was in trouble or going to jail. Witkowski told me had had fallen down and hit his head and reiterated several times he had not been hit. Witkowski said he had not been unconscious and stated the reason for falling was because of his intoxication. I asked how much he had drank and he said three beers, two at Old Chicago. I observed Witkowski had a wound on the rear right of his skull, which was bleeding into his hair. At that time the medical personnel arrived and Witkowski agreed to go with them to the hospital to be checked out. Before they left I heard a medic ask Witkowski how much he had to drink and Witkowski's response was, "Plenty!" After the medical personnel left with Witkowski I spoke to the three employees inside the bar.

I spoke with Barton who had witnessed what occurred. Barton said Witkowski had been sitting on a stool at the south end of the bar because he had been staggering around and fell earlier, so he had made Witkowski sit down for his safety. When Witkowski got up from the stool he again staggered and this time fell backwards towards the bar and hit his head on the lower portion of the bar. This version of events coincided with what Witkowski had told me earlier.

I spoke with Kastner and Headley next. Kastner told me Witkowski was a regular at the bar and walks there from somewhere in Ptarmigan. She said he had arrived at about 2230 hours but she only served him one beer at approximately 2310 hours. Kastner said she didn't even let him finish the beer because of his intoxication. After he finished about half she took the beer away from him. Headley was the manager on duty and I explained to both him and Kastner that it was illegal to sell alcohol to a visibly intoxicated person and from what I observed with Witkowski, the description from Barton, and Witkowski's own admission it was clear that Witkowski was intoxicated before Kastner had served the

Silverthorne Police Department

Case # 2014-2150

Case Narrative

beer, which she later took away. I explained the liability and told them I would forward this to our liquor enforcement officer, Officer Baldwin, for review. They both understood.

ADDITIONAL:

Have Officer Baldwin review this case for an appropriate resolution and notification of the liquor board.

ATTACHMENTS:

None.

Officer Name/Badge #:B. Siebel SP7

Date: May 12, 2014

Silverthorne Police Department
Case # 2014-2150
Supplement 1

FYI

Officer Baldwin reporting:

NARRATIVE:

On 5/12/14 at 2100 hours, I was informed of this incident by Sergeant Siebel. Old Chicago received a previous liquor violation on 3/1/2014 (see 2014- 1027). Sergeant Siebel and I reviewed the following things:

1. The intoxicated male who fell off of his stool, Witkowski, claimed he was served two beers from Old Chicago staff and had drank another beer elsewhere before arriving at the bar.
2. There aren't any receipts which indicate how many beers Witkowski was truly served. He paid with cash.
3. Old Chicago bartender, Kastner, claims she served Witkowski one beer and soon took it back when she realized Witkowski was too intoxicated to drink the beverage.
4. Witkowski was transported by EMS to the hospital so he was not around to answer if Kastner or anyone else had removed his beer prior to his fall.
5. Witkowski and another Old Chicago staff member said Witkowski entered the bar intoxicated.
6. Sergeant Siebel was able to easily see, smell and hear that Witkowski was severely intoxicated.
7. It is unlikely Witkowski drank more alcohol after he fell and before Sergeant Siebel and EMS arrived at the bar.
8. Kastner told Sergeant Siebel that Witkowski is a regular customer who usually walks to the bar from his nearby residence.
9. Another Old Chicago staff member, Barton, saw Witkowski fall once and he placed him on a bar stool so he would not fall again.
10. Silverthorne Police responded to the bar when staff called 911 for EMS help, not for police.
11. Old Chicago staff claim Witkowski arrived at the bar intoxicated around 2230 hours.
12. The bartender, Kastner, had served Witkowski a beer at 2310 hours.
13. Kastner claimed she did not realize Witkowski was as drunk as he really was and she realized her error in serving him alcohol. She claims to have taken away Witkowski's beer when he was half finished with it.
14. Old Chicago is not especially busy on Sunday nights at 2310 hours; especially during mud season.
15. Witkowski was sitting at the south end of the bar directly in front of the bartender and should easily have been observed.

It is unknown if Kastner really did remove Witkowski's beer when she realized she erred in serving him while he was intoxicated or if she tried to hide evidence of liquor service by removing the beverage after he fell and EMS was dispatched. Old Chicago staff was accused of over serving a hotel guest who later made a disturbance in the hotel lobby on 3/1/2014, and they are aware of the evidence we request in these matters. Barton was one of the three individuals involved in the previous suspected over service incident on 3/1/2014, and he knew what officers would ask. Barton and Kastner were also present in an alcohol education class I co-instructed 6 weeks earlier. The four hour class specifically addressed preventing liquor service to intoxicated or underage individuals.

Silverthorne Police Department

Case # 2014-2150

Supplement 1

In this incident, Sergeant Siebel arrived at 0042 hours; over two hours after Witkowski supposedly walked already intoxicated into the bar. Old Chicago staff was unable to provide Witkowski's bar receipt despite his lingering presence. Witkowski was propped at the bar because he was so severely intoxicated, yet Kastner stated she didn't realize Witkowski was as intoxicated as he was until he was half finished with his beer.

The Silverthorne Police were never called to respond to check on Witkowski's welfare in the two hours he was inside the bar, nor were they called to remove him from the premises when discovered he was at the severe level of intoxication he had been. Colorado Liquor code deems that all liquor serving establishments must have full control of their premises at all times and they shall not allow intoxicated individuals to remain.

ADDITIONAL:

Sergeant Siebel returned to Old Chicago on 5/12/14 and issued Kastner and bar manager, Nicholas Headley, written warnings for serving an intoxicated patron and allowing him to remain in the premises for such a lengthy time. Sergeant Siebel spent a great deal of time explaining the violations and the deteriorating adherence to liquor codes by staff members in recent months. The bar staff was warned that any future violations will result in criminal summonses to the employee(s) and bar manager. They were also informed that this incident will be addressed with the Silverthorne Liquor Board and further consequences could be decided at that time.

Officer A. Baldwin, SP35

Date: 5/13/14

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council / Liquor Board
THRU: Ryan Hyland, Town Manager
FROM: Mark Hanschmidt, Chief of Police 
DATE: March 10, 2014 for Work Session on March 11, 2014
SUBJECT: Alcohol Violation – Old Chicago's / Rock Bottom Restaurants

SUMMARY: On March 1, 2014 at about 1:50am, Silverthorne Police Officers were dispatched to La Quinta Inn, 550 Silverthorne Lane for a report of an intoxicated male causing a disturbance in the lobby. When officers arrived the man causing the disturbance had already gone back to his room located on the 4th floor. Officers went to the fourth floor and while getting off the elevator, they could hear yelling and someone banging on the walls in room 411. Officers found the man highly intoxicated and uncooperative. The man said he was drinking in Old Chicago's all night. The man was taken into custody and transported to the jail.

At about 2:25am, Officers went into Old Chicago's to meet with the manager. Officers observed 5 people sitting at a table with alcohol beverages on the table. It was determined there were two customers and three staff persons at the table. The alcohol was poured out.

Further investigation:

The intoxicated man entered the bar at 11:00pm and was cut off at 12:15am. The man left Old Chicago's and went back to his room where he continued drinking. According to the man, after he was asked to leave the bar he and his friend finished off a bottle of scotch.

The two employees were having their "after shift drink", one employee was not drinking. They were sitting with two friends who were drinking water, later giving the employees a ride home. The bar closed at 1:00 am and Old Chicago's policy is all customers are asked to leave at closing time. According to the General Manager Bill Poppie, his bartender and servers didn't follow company policy and would be disciplined.

On Monday March 3rd at about 3:00 pm, Officer Baldwin went to Old Chicago's and conducted a liquor inspection. She met with GM Poppie and discussed the two incidents from Friday night. GM Poppie previously contacted his employees and provided Officer Baldwin with facts from the night. We have not contacted the three employees since Friday night since they have been on suspension.

BACKGROUND: The Town Council / Liquor Board had asked staff to keep them apprised of any and all incidents involving violations at liquor establishment within the Town. The goal was to be informed of all incidents so there was no surprise when a liquor license was before Council / Liquor Board for renewal.

PREVIOUS COUNCIL ACTION: None.

Town of Silverthorne
Council Agenda Memorandum

DISCUSSION: This incident occurred under the current liquor license holder Old Chicago / Rock Bottom Restaurant. Old Chicago has had incidents in the past but never a direct violation of Colorado law. The over service issue was handled appropriately by discontinuing service to the patron. Officers could not determine over service by Old Chicago's bar staff since the man went to his room and continued to consume more alcohol. The employees may consume alcohol after the bar is closed but having customers sitting with them and alcohol on the table after 2:00am is a violation of Colorado State Law.

STAFF RECOMMENDATION: Since this is the first violation at Old Chicago's, I recommend a mandatory refresher of TIPS/Serve Safe for the staff involved. We would include a 2 hour ID class and cover specific laws where they were in violation. This memo should be placed in the liquor application folder and held for a 1 year period. This reminder will be helpful to identify any further violations that may occur.

Old Chicago / Rock Bottom Restaurant renewed their liquor license on January 24, 2014 and will renew January 23, 2015.

ATTACHMENTS: Town of Silverthorne Liquor Inspection report



601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498
(970) 262-7320 • Fax (970) 262-7315

DATE: January 7, 2015
TO: Michele Miller
FROM: Officer Anne Baldwin
SUBJECT: Hotel and restaurant liquor license transfer application, including malt, vinous and spirituous beverages.

I have verified the employees of Bamboo Gardens are TIPS certified through the end of 2015.

Since their last application, Bamboo Gardens has not had any alcohol-related incidents on their property.

Based on the background information of the Silverthorne Police Department, we do not have any objections to the approval of this hotel and restaurant liquor license application.

Reviewed by



Police Chief
Mark Hanschmidt

01-08-15
Date

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

BAMBOO GARDEN
 7393 S SHAWNEE ST
 AURORA CO 80016-6015

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name YU DYNASTY INC		DBA BAMBOO GARDEN		
Liquor License # 28653580000	License Type Hotel & Restaurant (city)	Sales Tax License # 28653580000	Expiration Date 1/26/2015	Due Date 12/12/2014
Street Address 190 MERALY WY #99A SILVERTHORNE CO 80497				Phone Number (970) 468 6888
Mailing Address 7393 S SHAWNEE ST AURORA CO 80016-6015				
Operating Manager Ming Hon You	Date of Birth 5/19/56	Home Address 111 Poplar Cir, Silverthorn CO 80498		Phone Number 201-889-1050

- Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease 10-31-2019
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business MING HON YOU	Title president
Signature <i>Ming Hon You</i>	Date 11/26/14

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title
	Attest

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
FROM: Michele Miller, MMC, Town Clerk
DATE: January 7, 2015 for meeting of January 14, 2015
SUBJECT: Liquor License for Local Authority Consideration

SUMMARY: The Liquor Board is asked to grant a Temporary Liquor Permit to Town of Silverthorne, dba Silverthorne Pavilion.

BACKGROUND:

A. Town of Silverthorne dba Silverthorne Pavilion – Request for a Temporary Liquor Permit

The applicant has submitted a complete application for a Temporary Liquor Permit and the transfer of ownership for Town of Silverthorne dba Silverthorne Pavilion. The current owner of the liquor license, All Season Catering has a valid liquor license until December 13, 2015. Under the Liquor Code, a Temporary Permit authorizes the transferee to conduct business and sell alcohol beverages for 120 days in accordance with the license of the transferor subject to compliance with the following conditions.

- The premise where alcohol beverages are sold is licensed by the State and Local Authority and is valid at the time of application.
- The transferee filed a complete and proper form for transfer of the liquor license with the local authority.
- The transferee filed a temporary permit application, along with the transfer of ownership application and a fee not to exceed \$100.00.
- The transferee provided a copy of the statement made to the state authority that demonstrates that all accounts for alcohol beverages sold are paid.

The Temporary Liquor Permit will be effective January 15, 2015. The applicant is not allowed to sell liquor unless this Temporary Permit is approved. The liquor license transfer application will be presented to Council in October.

The Police Department has copies of the transfer application and is running a background checks and staff is reviewing the Management Agreement.

DISCUSSION:

Financial Implications: Each individual liquor license applicant is required to submit both local licensing fees and state licensing fees as set forth by the Colorado Liquor Enforcement division. These fees are submitted with the application materials. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

STAFF RECOMMENDATION: Staff recommends approval of the Temporary Liquor Permit. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

PROPOSED MOTION:

I move to approve the Temporary Liquor Permit application for Town of Silverthorne dba Silverthorne Pavilion.

ATTACHMENTS: Temporary Liquor Permit

MANAGERS COMMENTS:

TOWN OF SILVERTHORNE
TEMPORARY LIQUOR PERMIT
APPLICATION AND DECISION FORM

Application Form (to be completed by Applicant/Transferee)

Fee: \$100

Name of Applicant: **Town of Silverthorne dba Silverthorne Pavilion**

Mailing Address: **PO Box 1309, Silverthorne, Co 80498**

Business Location for which permit is requested:

400 Blue River Parkway, Silverthorne, Co 80498

A complete liquor license application must be submitted before a Temporary Permit will be considered.

Please describe the Applicants financial interest in the proposed transfer:

Pavilion Concessionaire.

Name of existing license to be transferred:

All Season Catering - #415741900000

**TEMPORARY LIQUOR PERMIT
TOWN OF SILVERTHORNE
STATE OF COLORADO**

TO SELL AT RETAIL MALT, AND VINOUS, LIQUORS

THIS IS TO CERTIFY, that **Town of Silverthorne dba Silverthorne Pavilion** has applied for a transfer of ownership of Tavern Liquor License, and having paid to the Town Clerk, the sum of one Hundred and no/100 (\$100.00) dollars therefor, the above applicant is hereby licensed to sell the above-listed liquors at the location of **400 Blue River Parkway, Silverthorne, Colorado**, for a period beginning on **January 15, 2015** and ending on **May 15, 2015** (120 Days) unless this Temporary Liquor Permit is revoked prior to that date, as provided by law. This Temporary Liquor Permit is issued subject the Laws of the State of Colorado and the provisions of Title 12, Article 47, Colorado Revised Statutes, as amended, and the ordinances of the Town of Silverthorne.

IN WITNESS WHEREOF, the Liquor Licensing Authority has hereunto subscribed its name by its officer duly authorized this 14th day of January, 2015.

THE LIQUOR LICENSING AUTHORITY OF
THE TOWN OF SILVERTHORNE,
COLORADO

by:

Bruce Butler, Mayor

ATTEST:

Michele Miller, Town Clerk

TO BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

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MINUTES OF SPORT COMMITTEE
November 21, 2014

I. PROCEDURES

1. Attendance: Russ Camp, Don Hansen, Don Langmuir, Bob Mayerle, Mary Kay Rachwalski, Marilyn Raymond, Marty Richardson, Kathy Swanson, John Taylor
2. Staff: Joanne Cook, Liz Hodson, Susan Lee
Absent: Tom Dopplick, Frank Gutmann, Pat Taylor
Guests:
3. Don Hansen opened the meeting at 6:03 p.m. in the Schmidt Room at Town Hall.
4. Previous minutes: Motion to approve by Kathy Swanson, second by John Taylor.

II: PRESENTATIONS

- 1.

III: PLANNING DEVELOPMENT PROJECTS

1. WGOS violation update
 - A letter re: disturbance was from Leigh Girvin of CDLT sent to the homeowner. Susan Lee contacted the homeowner, who rents his property, and he has agreed to fix the disturbed area.
 - The Committee felt it necessary to contact homeowners annually as a reminder. This will be done in February.

IV: OLD BUSINESS

1. 2014 Goals in progress
 - a) Bird Watching benches and signs
 - Benches are in, signs are on order
 - b) Rivers Edge signs
 - Susan Lee presented designs from House of Signs for the Committees review and the following decisions were made on the park and directory signage:
 - Main Park Signage:
 1. Make sure to include an apostrophe before the "S" in River's
 2. Instead of the text "Next Right" use "Welcome"
 3. Otherwise approved as is
 - Directory Signage:
 1. Bigger map, smaller text
 2. Use a "you are here" symbol or text
 3. Primary focus is on getting people over to River's Edge
2. Trailhead signage, update from Bill L.
 - Continued as 2015 goal
3. USFS trails signs / website update (Don L.)
 - Don L thanked Pat for her work with the document. Pictures need to be chosen and Don will send out updated document.
4. Osprey Days update (Bob and Don H.)
 - Don H and Bob met with Nancy and have decided on a date for the event; August 4, 2015 from 6-8pm. The event will kick off with a welcome from the Mayor and will continue on the bike path at 3 separate "active" stations and will finish up at North Pond Park. More details to follow.

V: NEW BUSINESS:

1. Swift Skedaddle update

-Joanne explained that the Swift Skedaddle will no longer be held, and that the Town of Silverthorne is looking forward to providing another signature event in the future. A Note from TOS organizer Mindy Nicholds:

“Thank you to all who have helped with The Swift Skedaddle over the last 10+ years. Whether it was making unique plaques, taking registrations, setting the course, moving signs, moving snow or everything in between, we want to thank you for your help and support for this event. Unfortunately, The Swift Skedaddle is a losing venture due to participant number restrictions (150 per USFS contract) and high staffing hours packing a long course. We have been working hard to find alternative ways to produce the Swift Skedaddle Snowshoe Adventure, including reaching out to David Janowiec, the Pond Hockey organizer, to determine if his company would organize the event on behalf of the Town. David and the Recess Factory were not interested due to the financial risk involved. Therefore, after much consideration, we will no longer be holding the Swift Skedaddle Snowshoe Adventure race. We look forward to creating a new winter event that will continue to showcase The Nordic Center while appealing to a wider audience and meeting the goals of our Town and department. Thank you again, and please, stay tuned for something new, I’m sure we will be reaching out for your help on our next exciting winter event!”

-The Committee agreed that this was a huge project that involved many people and that it may be time to let things evolve. Joanne thanked everyone for their support.

2. POST update, council meeting on December 10, please attend if you can.

-Planning Commission passed a resolution to accept the POST plan. SE came to the meeting to speak and they, as well as the SPORT Committee, received lots of “thank yous” from Council. Susan thank John for coming to the Planning Commission meeting

3. Brainstorm for 2015 goals

-Osprey Days / Bird houses

-POST Action Items – what is existing/ongoing that correlate with POST goals

-Signage/Way finding

-Raven – Sledding Hill (POST) backside of parking lot

-Anger Mtn. open space – trail? Starting point is access.

-POST / choose one in each category?

-Mtn bike trail realignment at Ptarmigan – start conversations with FDRD, USFS, SFT Society

-Bike Friendly Community – Adult bike skills workshop

-Walkability (sidewalk prioritization, crossing Highway 9)

-Salt Lick

4. Potential dates for joint meeting with Town Council – February 10, or 24?

-February 10 was requested by the Committee.

OTHER:

Motion to adjourn 7:40 pm by Russ Camp, second by John Taylor

Next Meeting: December 18, 2014 - 6:00 p.m.

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Donna Braun, Administrative Services Director *DB*
FROM: Kathy Marshall, Revenue Administrator *KM*
DATE: January 8, 2015 for meeting of January 14, 2015
SUBJECT: October 2014 Sales Tax Review

SUMMARY:

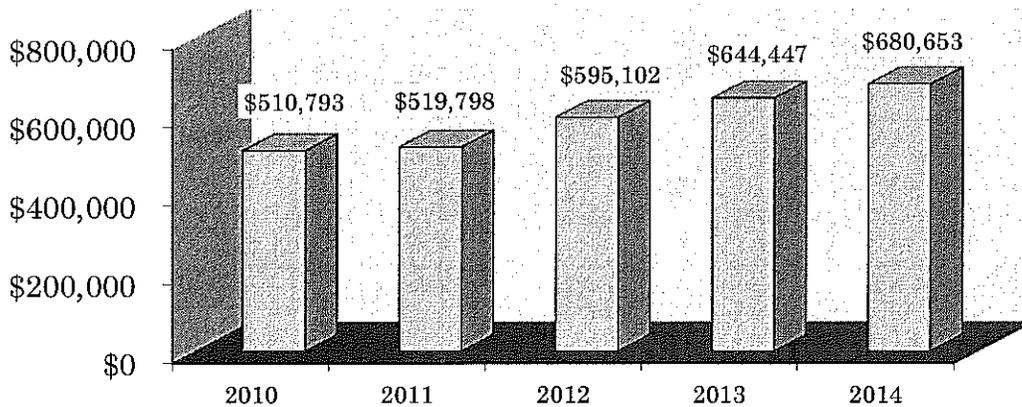
The following reports summarize October sales taxes collected in November. The State remitted the Town's 2% county taxes from October sales on December 8th, 2014.

MANAGER'S COMMENTS:

**SILVERTHORNE SALES TAX BY MONTH
FOR OCTOBER 2014 SALES**

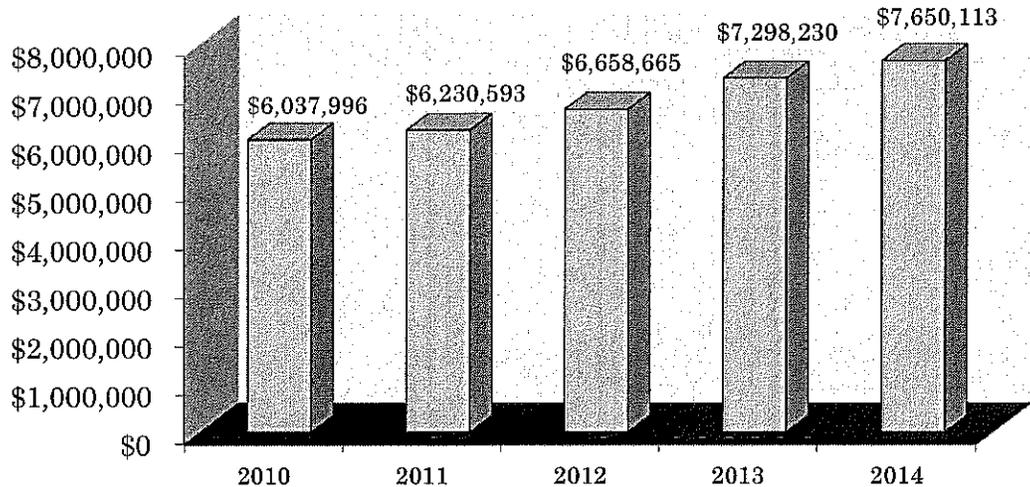
CHART A:	2010	09-10	2011	10-11	2012	11-12	2013	12-13	2014	13-14
MONTH	% CHANGE		% CHANGE		% CHANGE		% CHANGE		% CHANGE	
JAN	575,221	-5.47%	573,681	-0.27%	613,612	6.96%	705,712	15.01%	691,694	-1.99%
FEB	592,815	4.84%	596,415	0.61%	595,268	-0.19%	639,591	7.45%	682,600	6.71%
MARCH	757,579	5.66%	756,618	-0.13%	718,051	-5.10%	830,399	15.65%	879,003	5.85%
APRIL	500,287	0.49%	478,163	-4.42%	681,867	32.14%	591,855	-6.33%	606,570	2.49%
MAY	435,020	-0.94%	459,924	5.72%	479,708	4.30%	572,548	19.35%	619,820	8.26%
JUNE	634,016	7.91%	704,357	11.09%	695,673	-1.23%	822,224	18.19%	869,150	5.71%
JULY	721,759	-1.55%	744,166	3.10%	774,222	4.04%	866,950	11.98%	890,855	2.76%
AUG	672,039	-2.76%	709,335	5.55%	773,019	8.98%	827,646	7.07%	893,121	7.91%
SEPT	638,468	-4.43%	688,135	7.78%	782,144	13.66%	796,857	1.88%	836,747	5.01%
OCT	510,793	2.20%	519,798	1.76%	595,102	14.49%	644,447	8.29%	680,653	5.62%
NOV	590,795	1.34%	634,971	7.48%	635,360	0.06%	701,380	10.39%		
DEC	873,798	1.44%	885,610	1.35%	866,971	-2.10%	983,997	13.50%		
YTD TTL:	7,502,589		7,751,173		8,160,996		8,983,606		7,650,113	
%CHANGE FROM YEAR TO YEAR:		0.68%		3.31%		5.29%		10.08%		4.82%

EXHIBIT 1A: SALES TAXES COLLECTED OCTOBER



%CHANGE FROM PRIOR MONTH	2010	2011	2012	2013	2014
	2.20%	1.76%	14.49%	8.29%	5.62%

EXHIBIT 1B: YTD SALES TAX COLLECTIONS AS OF OCTOBER 2010-2014



%CHANGE FROM PRIOR YEAR	2010	2011	2012	2013	2014
	0.50%	3.19%	6.87%	9.60%	4.82%

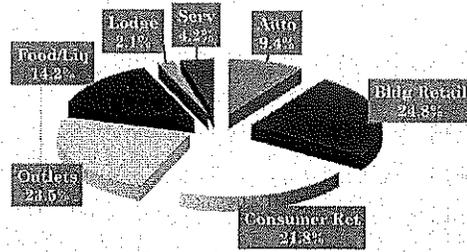
Exhibit IA & Exhibit IB show the Town of Silverthorne's collections by month and year-to-date (YTD) for the years 2010-2014, with the following results:
October 2014's sales tax collections increased by \$36,206 or 5.62% over 2013.
2014 YTD collections increased \$351,883 or 4.82% over 2013 collections.

SALES TAX BY CATEGORY

EXHIBIT IIA: OCTBER SALES TAX BY CATEGORY

Category	2013	2014	\$Inc/(Dec)	% Inc/(Dec)
Auto	\$57,211	\$63,727	\$6,516	11.39%
Bldg Retail	\$154,173	\$168,706	\$14,533	9.43%
Consumer Ret	\$121,229	\$148,325	\$27,096	22.35%
Outlets	\$168,079	\$160,263	(\$7,817)	-4.65%
Food/Liq	\$101,330	\$96,663	(\$4,667)	-4.61%
Lodge	\$12,201	\$14,324	\$2,122	17.39%
Serv	\$30,224	\$28,647	(\$1,577)	-5.22%
TOTAL	\$644,447	\$650,653	\$36,206	5.62%

OCTOBER 2014 MTD SALES TAX BY CATEGORY



The Outlets category decreased \$7,817 or minus 4.65% when compared with October 2013; YTD is down \$138,004 or minus 6.09%;

The results by Phase are as follows:

- ▶ Phase I is down \$1,410 or minus 2.36%. YTD is down \$38,181 or minus 4.97%.
- ▶ Phase II is down \$6,035 or minus 8.61%. YTD is down \$85,418 or minus 7.83%.
- ▶ Phase III is down \$372 or minus 0.97%. YTD is down \$14,405 or minus 3.55%.

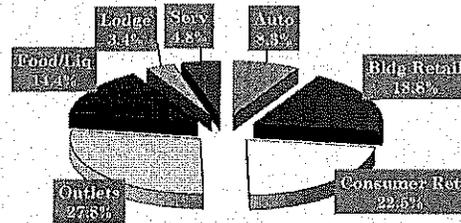
The "Sales Tax by Category" Exhibits IIA & IIB compare the October sales taxes collected by Outlets, Building Retail, Consumer Retail, Food/Liquor, Lodging, Automotive, and Services with the following results:

- ▶ The Building category contributes the highest October collections, or 24.8% and the 3rd highest YTD collections, 18.8%.
- ▶ The Outlets category, October's 2nd largest sales tax category, contributed 23.5%; YTD 27.8%.

EXHIBIT IIB: OCTOBER YTD SALES TAX

Category	2013	2014	\$Inc/(Dec)	% Inc/(Dec)
Auto	\$572,022	\$635,172	\$63,150	11.04%
Bldg Retail	\$1,300,642	\$1,434,587	\$133,945	10.30%
Consumer Ret	\$1,486,423	\$1,721,956	\$235,533	15.85%
Outlets	\$2,264,559	\$2,126,555	(\$138,004)	-6.09%
Food/Liq	\$1,056,452	\$1,103,110	\$46,657	4.42%
Lodge	\$224,830	\$263,760	\$38,930	17.32%
Serv	\$393,302	\$364,972	(\$28,330)	-7.20%
TOTAL	\$7,298,230	\$7,650,113	\$351,883	4.82%

OCTOBER 2014 YTD SALES TAX BY CATEGORY



The tables to the left of the "Sales Tax by Category" exhibits show the industry comparisons by month and YTD.

- ▶ The Consumer Retail category had the highest October dollar increase, \$27,096 or 22.35%; YTD up \$235,533 or 15.85%.
- ▶ The Building Retail category had the 2nd highest October dollar increase, \$14,533 or 9.43%; YTD up \$133,945 or 10.30%.
- ▶ The Food/Liquor category was down \$4,667 or minus 4.61%; YTD up \$46,657 or 4.42%.

Outlets at Silverthorne (OS): (Not updated for October report)

- ▶ Phase I aka Red Village:
Go Lite closed on 12/23/14 due to bankruptcy. Lids closed on 12/23/14. More Than a Perfume, a temporary tenant, closed on 12/31/14 because their lease ended.
- ▶ Phase II aka Blue Village:
- ▶ Phase III aka Green Village:

A Tourism Manager has been added to the OS Marketing Staff. He will be responsible for bringing in convention/conference attendees, as well as increasing the outreach to the resorts and the destination traveler. Many group shopping tours have been secured since this position was added. Traffic numbers were up for December. Outlet Shuttle Express transportation service, which brings customers from Vail, Avon, and Breckenridge resorts, increased 30%. The OS leasing team is busy with follow-up meetings from the New York ICSC Convention they attended in December.

SALES TAX COLLECTIONS: ACTUAL VS BUDGET 2014 YTD

EXHIBIT III-ACTUAL VS. BUDGET TABLE

SALES MONTH	2014 BUDGET BY MONTH	2014 ACTUAL BY MONTH	2014 BUDGET YTD	2014 ACTUAL YTD	ACTUAL AS A % OF 2014 BUDGET YTD
JAN	\$696,395	\$691,694	\$696,395	\$691,694	99.32%
FEB	\$696,480	\$682,500	\$1,392,875	\$1,374,194	98.66%
MAR	\$904,464	\$879,003	\$2,297,339	\$2,253,197	98.08%
APR	\$620,874	\$606,570	\$2,918,213	\$2,859,767	98.00%
MAY	\$564,876	\$619,820	\$3,483,089	\$3,479,588	99.90%
JUNE	\$800,747	\$869,150	\$4,283,886	\$4,348,737	101.52%
JULY	\$884,146	\$890,855	\$5,167,982	\$5,239,592	101.39%
AUG	\$842,094	\$893,121	\$6,010,076	\$6,132,713	102.04%
SEPT	\$838,283	\$836,747	\$6,848,359	\$6,969,460	101.77%
OCT	\$657,014	\$680,653	\$7,505,373	\$7,650,113	101.93%
NOV	\$715,110		\$8,220,483		0.00%
DEC	\$1,028,353		\$9,248,837		0.00%

► The budget numbers are based on a 2.27% increase from 2013 sales tax revenues.

LODGING TAX COLLECTIONS: 2011-2014 COMPARISONS

EXHIBIT IV-LODGING TAX TABLE

LODGING TAXES	2010/2011		2011/2012		2012/2013		2013/2014		2013/2014	
	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	\$ Change	% Change	
Jan	14,468	12.1%	12,279	-15.1%	14,022	14.2%	17,109	3,088	22.0%	
Feb	13,838	11.7%	13,674	-1.2%	14,652	7.2%	17,751	3,100	21.2%	
Mar	19,644	2.2%	21,942	11.7%	23,772	8.3%	28,315	4,543	19.1%	
Apr	6,775	14.2%	5,119	-24.4%	6,758	32.0%	7,504	745	11.0%	
May	4,650	-0.9%	5,217	12.2%	4,915	-5.8%	5,737	822	16.7%	
June	8,627	18.8%	9,190	6.5%	9,524	3.6%	9,792	269	2.8%	
July	11,941	5.0%	11,717	-1.9%	12,655	8.0%	14,841	2,186	17.3%	
Aug	11,780	15.1%	10,979	-6.8%	12,251	11.6%	13,611	1,361	11.1%	
Sept	9,493	13.2%	9,674	1.9%	10,613	9.7%	11,651	1,037	9.8%	
Oct	5,809	12.2%	5,855	0.8%	6,134	4.8%	6,928	794	13.0%	
Nov	6,405	-13.4%	5,950	-7.1%	6,841	15.0%			0.0%	
Dec	15,384	-1.7%	15,260	-0.8%	19,283	26.4%			0.0%	
TOTAL	128,803	6.8%	126,856	-1.5%	141,419	11.5%	133,240	17,945	15.6%	

Please note: Lodging taxes are split as follows:
 ► 85% Trails, Parks & Open Space
 ► 15% Marketing

EXCISE TAX COLLECTIONS: 2011-2014 COMPARISONS

EXHIBIT V-EXCISE TAX TABLE

EXCISE TAXES	2011		2010/2011		2012		2011/2012		2013		2012/2013		2014		2013/2014		2013/2014		2014	
	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	\$ Change	% Change	Total Recourse	New Res. Permits	New Res. Permits		
Jan	0		7,652		0	-100.0%	15,944		15,944		15,944		15,944		7,972	0	3			
Feb	0	-100.0%	13,498		10,824	-19.8%	6,514		(4,310)	-39.8%	3,257		3,257		2	2	1			
Mar	0		0		209,452		0		(209,452)	-100.0%	0		64		0	64	0			
Apr	15,080		17,846	18.3%	20,856	16.9%	0		(20,856)	-100.0%	0		0		4	4	0			
May	20,636		43,148	109.1%	42,286	-2.0%	38,256		(4,030)	-9.5%	19,128		19,128		6	6	5			
June	36,198	24.4%	3,566	-90.1%	18,840	428.3%	8,880		(9,960)	-52.9%	4,440		4,440		2	1	1			
July	7,916	-61.1%	7,580	-4.2%	32,024	322.5%	39,868		7,844	24.5%	19,934		19,934		4	6	2			
Aug	0	-100.0%	18,628		16,056	-13.8%	17,974		1,918	11.9%	8,987		8,987		2	2	2			
Sept	0	-100.0%	0		22,836		37,890		15,054	65.9%	18,945		18,945		3	4	1			
Oct	13,128		6,890	-47.5%	12,412	80.1%	30,636		18,224	146.8%	15,318		15,318		3	5	2			
Nov	6,334		0	-100.0%	10,896		6,668		(4,228)	-38.8%	3,384		3,384		2	1	1			
Dec	6,666		10,272	54.1%	12,854	25.1%	28,702		15,848	123.3%	14,351		14,351		2	5	3			
TOTAL	105,958	9.3%	129,080	21.8%	409,336	217.1%	231,332	-178,004	-43.5%	115,666	94	33								

Town of Silverthorne Economic Development Advisory Committee Meeting Minutes Tuesday, January 6, 2015

1. Lunch – 11:45 a.m.

2. Call to Order – 12:05 noon

In attendance: Eddie O'Brien, Warren Buettner, Seth Lyons, Jayne Esser, Brian Edney, Marc Hogan, Larry Lunceford, Mike Shambarger, Colleen Meheen, Les Boeckel, Council Members: Bruce Butler, Russ Camp. Staff Members: Ryan Hyland, Mark Leidal, Donna Braun, Susan Schulman.

3. Approval of Minutes from November 4, 2014

Larry Lunceford made a motion to approve the minutes, Brian Edney second. Motion approved.

4. Discussion of 2014 Accomplishments and 2015 Goals:

EDAC's Executive Committee met last week to establish 2015 projects for EDAC focus, which resulted in:

Lake Dillon Theater Company – Ryan, Joanne, Mark Leidal and Bill have helped to push forward in spite of the holiday season. A Board meeting with LDTC and Silverthorne Town Council was held in November, resulting in the signing of a 45 day letter of intent. On January 14 Council and LDTC will meet in Executive Session to instruct negotiators, review a conceptual site plan and location, discuss an operating agreement, etc. On January 15, Ryan will attend a LDTC Board meeting. Ryan feels a decision point is close. If this project does move forward, EDAC will be called on primarily for – 1) fundraising, 2) general public awareness.

Comprehensive Plan Follow Ups – Mark Leidal reported that the Comprehensive Plan was well received, as was the updated POST plan, approved by Council in December 2014. Both documents set a good vision for the community. The idea of a Ski Hill was memorialized in the POST Plan, including possible summer use and making recreation available for both residents and tourists.

District Design Standards – Make sure standards are in place; Mark Leidal thanked Council and EDAC members who have participated in recent District Design Standards. District Design Standards get on paper what the vision is for the Town. Districts include the Gateway District as well as peripheral districts. The next piece in making sure standards are in place will be looking at re-zoning within the Town Core to avoid projects that don't follow the vision. The first few projects have to be the right ones. District Design Standards will be discussed and reviews in Work Session January 13 with EDAC and January 27 with Planning Commission with final approval coming from Council.

Art in Public Places – Although AIPP is currently taking a backseat to Theater, there are funds allocated in the 2015 budget for a strategic art plan. Eddie O'Brien commented that the signage discussed should be installed in order to keep art projects moving ahead. There was positive discussion about restructuring the art committee, matching the model use for the community garden.

Urban Renewal Activities – Owners of the Home Depot property and Jeff Oberg requested that their sites be included in the Town's URA area; this was approved by Council at the December 2015 meeting. Angry James Brewing Co. purchased property on Adams; Ryan appreciates Marc Hogan's assistance in their site planning. Mark Leidal reports seeing increased contact from users/speculation. River's Edge Park signage going in soon, directional signage budgeted for in 2015.

ICSC Mountain Region Event – Ryan Hyland suggests the Town look at hosting this event again in 2015, which brings Front Range brokers to Silverthorne's Raven Golf Course.

Development Requirements – Competitiveness Review – Mayor Butler would like to see an exercise in reviewing the cost of doing business in Silverthorne (i.e. infrastructure costs, density and height requirements, snow storage opportunity etc.) to make sure that we are in line with surrounding jurisdictions and not deterring development. This exercise fits with the District Design Standard review.

Ryan asked if EDAC members had other thoughts?

Brian Edney asked if programs such as Business Incentive Program, Business Grants, and ESTIP would be continuing in 2015, which they will.

Jane Esser reported that although she does not yet have holiday sales numbers, major retailers and restaurants at the Outlets did well and saw high traffic during the holiday season. Colleen Meheen reported that there was good traffic through Town Center and that the challenge continues to be getting people to walk around and browse at the Town Center. The new owners of the Town Center are looking at improving roadway signage.

7. Staff Updates

A joint meeting with Council and EDAC will take place at the January 13, 2015 Work Session in order to establish formal goals for 2015.

Donna Braun reported that sales tax is up 4.8 % on the year through October. Building related revenues up, but this category is not always ongoing or consistent. New businesses: Bakers' Brewery, Hampton Inn, Murdoch's. Hampton Inn is under construction and Bakers' is set to open this month. Murdoch's did well in 2014 and is happy to have located in Silverthorne.

Mark Leidal reported that South Maryland Creek Ranch is gearing up again with increasing zoning from 83 to 240 units. Planning Commission and Council will be hearing from SMCR over the next 6 months.

9. Next EDAC Meeting Dates: Jan. 13 at 6:00 p.m. Joint Work Session with Town Council
March 3 at 11:45 a.m. regular EDAC Meeting

10. Adjourn – 1:10 p.m.