

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, October 14, 2015

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members Derrick Fowler, Peggy Long, Russ Camp, JoAnne Nadalin and Stuart Richardson. Ann-Marie Sandquist absent. Staff members present were, Town Manager Ryan Hyland, Chief Mark Hanschmidt, Administrative Services Director Donna Braun, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Planning Manager Matt Gennett, Town Attorney Matt Mire and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Hyland reported on the success of Pumpkinfest.

COUNCIL COMMENTS:

Butler commented on the success of the annual Pumpkinfest October 11th. He reported on Donna Braun's retirement February 2016. He thanked her for her 22 years of service and her commitment to the Town of Silverthorne.

CITIZEN COMMENTS:

Kamil Petric, J & H Mountain Service, spoke to Council on the ongoing parking issues for his business at 205 Warran Avenue. He asked for parking to be allowed in the Town Right of way.

CONSENT CALENDAR:

NADALIN MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM SEPTEMBER 23, 2015 AND RESOLUTION 2015-18; A RESOLUTION AWARDDING THE TOWN OF SILVERTHORNE THEATRE WATER MAIN PROJECT CONTRACT IN THE AMOUNT OF \$60,013. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT.)

PUBLIC PRESENTATIONS:

Summit Public Radio & TV (SPRTV)

John Mirro, President Summit Public Radio and TV, presented his PowerPoint campaign to raise \$435,000 in capital funding to prepare for SPRTV's future. They are trying to run a new power line and a second conduit with fiber-optic cable up to their facilities on top of Bald Mountain. They have requested \$5,000 from the Silverthorne grant program. These funds would be to help with their fundraising campaign and would not be a contribution toward their capital needs. They have an all-volunteer board and are looking for new members with diverse skills.

Long asked if the group would consider hosting a fund raising event at the Town Pavilion.

Mirro feels they can consider that idea, they are trying to achieve public awareness and something like that would help.

Nadalin asked what the timeframe to get the cable in is.

Mirro stated they have a window of five to seven years.

Richardson asked if there are cell phone towers on their land.

Mirro stated no, but their site would be very good site to lease for cell phone towers. With the new installation, they plan to over engineer for their needs and those of others.

Fowler asked if KUNSC is rebroadcast by SPRTV.

Mirro stated they used to, KUNSC has moved their transmitter, but they still maintain a close relationship.

Fowler asked about fundraising efforts by nonprofit radio stations from rebroadcasts. Does the SPRTV receive any benefit from them?

Mirro stated that is not allowed by the FCC.

Nadalín asked if those stations could broadcast advertisements for SPRTV's fundraising events.

Mirro stated yes.

Council thanked Mirro for all of the information.

SOUTH MARYLAND CREEK RANCH GENERAL IMPROVEMENTS DISTRICT BOARD

A. Ordinance 2015-01; an Ordinance Setting the South Maryland Creek Ranch GID Property Tax Mill Levy for the Taxable Year 2015, 1st Reading.

Donna Braun, Finance Director, presented South Maryland Creek Ranch General Improvements District Ordinance 2015-01, on first reading. She reviewed the staff memo and requested approval.

CAMP MOVED TO APPROVE ORDINANCE NO. 2015-01 ON FIRST READING, AN ORDINANCE LEVYING PROPERTY TAXES FOR THE TAXABLE YEAR 2015 ON THE SOUTH MARYLAND CREEK RANCH GENERAL IMPROVEMENT DISTRICT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT.)

LIQUOR BOARD:

A. Local Liquors LLC dba Local Liquors – Renewal of Liquor Store License

NADALIN MOVED TO APPROVE LOCALS LIQUORS, LLC DBA LOCAL LIQUORS – LIQUOR STORE LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT.)

PUBLIC HEARINGS:

A. Final Plat and Site Plan, Angler Mountain Ranch Lakeside Townhomes, Filing No.8

Public hearing opened.

Matt Gennett, Planning Manager presented the project for the applicant. They are requesting approval of the Final Plat and Site Plan for Angler Mountain Ranch Lakeside Townhomes, Filing No. 8. He reviewed his staff report and recommended approval. Planning Commission approved the application on October 6, 2015.

Council questions.

Richardson asked for a geotechnical report on the wall.

Tim Crane, Compass Homes Development, reviewed the application; this is almost the end of the line for the Filings. He reviewed the construction of the retaining wall, engineering and geotechnical letter. There are no major changes to the architecture; these units are consistent with what they have already built. He requested approval.

Camp asked how many units have yet to be built.

Crane stated approximately 35.

Richardson asked when the fishing building would be completed.

Crane stated hopefully this year.

No Public comment, public hearing closed.

Camp has been glad to see this project continue to move forward.

Fowler feels it is impressive how this development has progressed.

Butler thanked Crane; he appreciates him sticking with the project over the tough years. This development is a real asset to the Town.

CAMP MOVED TO APPROVE THE FINAL PLAT AND FINAL SITE PLAN FOR ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES, FILING NO. 8. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT)

ACTION ITEMS:

A. Ordinance 2015-14; an Ordinance Repealing and Reenacting Article XIII, Chapter 4, of the Silverthorne Town Code, Related to Retail Marijuana, and Adding a New Article XIV of Chapter 4 of the Silverthorne Code, Related to Medical Marijuana, 1st Reading.

Matt Mire, Town Attorney, reviewed the staff report and the changes to the Medical Marijuana section of the Town Code. He reviewed the highlights of changes and recommended approval. He read the proposed amendments to Ordinance No. 2015-14 into the record.

1. Amend Section 4-13-10(a) as follows:

A retail marijuana store may only sell marijuana between the hours of 9:00 a.m. and 7:00 **10:00** p.m.

2. Amend Section 4-13-15(e) as follows:

The total licensed premises for a dual operation shall not exceed **7,500** square feet.

3. Amend Section 4-13-21(c) as follows:

A licensee shall report a transfer or change of financial interest in the license holder or in the ~~medical~~ **retail** marijuana business that is the subject of the license within 30 days. A report shall be required for any transfer of the capital stock of a public corporation totaling more than 10% of the stock in any one year, as well as any transfer of a controlling interest in the corporation whenever a sufficient number of shares have been transferred to effectuate the transfer of a controlling interest.

4. Amend Section 4-14-10(b) as follows:

A medical marijuana center may open no earlier than 9:00 a.m. and shall close no later than 7:00 p.m. the same day; **provided that, if state law changes to allow a medical marijuana business to remain open later, the medical marijuana business shall close no later than 10:00 p.m.** A medical marijuana center may be open 7 days a week.

5. Amend Section 4-14-24(6)(g) as follows:

A person who is actively engaged in the maintenance, repair or improvement of the licensed premises or in the provision of accounting or other professional **services** directly related to the conduct of the licensee's medical marijuana business; or

Fowler asked for clarification on Dual operations, 4-13-15 and square footage.

Mire reviewed section 4-13-15. A(1) or (2).

Richardson asked about land use in the Town Core.

Leidal stated residential units are a legal use in the Town Core and that precludes a marijuana facility from locating there.

Nadalin thanked Mire for cleaning up the Ordinance and making it clear.

Butler asked Council if they wanted to approve the amendments one by one or by lot.
Long asked the other Councilmembers how they feel about adding the petition process for a new applications.
Fowler does not see a downside to requiring a petition process.
Nadalin asked about the definition of schools.
Long stated she would like to see licensed daycare added to the definition of school.
Mire informed Council the Ordinance could be approved "with the amendments" since they have been read into the record

CAMP MOVED TO APPROVE ORDINANCE 2015-14 ON FIRST READING WITH PROPOSED AMENDMENTS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT.)

B. Ordinance 2015-13; a 2015 Appropriations Ordinance, 1st Reading

Donna Braun, Finance Director, presented Ordinance 2015-13 an appropriation ordinance amending the 2015 budget to allow for the adjustment to revenues and expenditures as related to operations, capital projects, and transfer. She reviewed the staff memo dated October 7, 2015 and recommended approval.
Richardson asked about the change in Compensated Absences Internal Service Fund.
Long is happy to see the increase in funding.
Richardson would like an accounting of Segment 5 of the trail.

CAMP MOVED TO ADOPT ORDINANCE NO. 2015-13 ON FIRST READING, AN ORDINANCE AMENDING THE 2015 BUDGET AS PRESENTED. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT.)

DISCUSSION ITEMS:

None.

INFORMATIONAL:

A. Planning Commission Meeting Minutes, October 6, 2015

CAMP MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 7:06 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

