

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, May 25, 2016

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 Tanya Shattuck. Council Member Bob Kieber was absent. Staff members present were Town Manager Ryan Hyland, Sergeant Tim Osborn, Recreation Director Joanne Cook, Special Events and Leisure Coordinator Carin Faust, Public Works Director Bill Linfield, Finance Director Laura Kennedy, Assistant Town Manager Mark Leidal, Senior Planner Lina Lesmes, Planning Manager Matt Gennett, Town Attorney Kendra Carberry and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook reported on the success of the Town's annual Clean Up Day and thanked participants. She reported on upcoming Recreation Center and Pavilion events, and the Recreation Center's summer hours.

Cook introduced Carin Faust, the new Special Events and Leisure Coordinator. Council welcomed Faust to Town Staff.

COUNCIL COMMENTS:

Nadalin commented as a representative of Silvana's Garden, the Community Garden has had great success with kid's involvement in the garden and they are looking forward to the upcoming cooking classes. She thanked Recreation Center staff for their efforts.

CITIZEN COMMENTS:

Jane Hankison, 132 Talon Circle, requested Council do something about the Solar Garden's negative impact to her home. During certain times of the day, the sun's reflection off of the solar collectors into her home is unbearable. She has contacted the owner, Fin Doyle but she requested Council assist with a solution.

Staff and Council discussed the Solar Garden.

Eli Robertson, 23 Lariat Loop, reported on the absence of several long established beaver dams between Angler Mountain Ranch, Silver Trout and the Blue River. He passed out pictures of the area and requested Council look into the damage.

Council directed staff to look into what happened to the beaver dams in the area.

CONSENT CALENDAR:

NADALIN MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM MAY 10 & 11, 2016, RESOLUTION 2016-15; A RESOLUTION AWARDED THE CONTRACT FOR THE 2016 SILVERTHORNE CHIP SEAL PROJECT TO A-1 CHIP SEAL OF DENVER, CO., RESOLUTION 2016-16; A RESOLUTION AWARDED THE CONTRACT FOR THE 2016 STEPHENS WAY AND RIVER ROAD MILL AND OVERLAY PROJECT TO COLUMBINE HILLS CONCRETE OF SILVERTHORNE, RESOLUTION 2016-17; A RESOLUTION AWARDED THE CONTRACT FOR THE 2016 GOLDEN EAGLE ROAD RECONSTRUCTION PROJECT TO COLUMBINE HILLS CONCRETE OF SILVERTHORNE, CO., RESOLUTION 2016-18; A RESOLUTION APPOINTING THE MUNICIPAL JUDGE, REPLAT – LOT 44, EAGLES NEST GOLF COURSE, FILING NO.1 AND RESOLUTION 2016-

14; A RESOLUTION AUTHORIZING THE TOWN TO ACCEPT A PARKING EASEMENT FROM THE OWNER OF LOT 6R, RIVERVIEW SUBDIVISION. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (KIEBER ABSENT)

LIQUOR BOARD:

A. CHB, Inc. dba La Quinta – New H & R Liquor License Application - PULLED

PUBLIC HEARINGS:

A. Final Plat, SIA and Final Site Plan – Angler Mountain Ranch, (AMR) Lakeside Townhomes, Filing no. 9

Matt Gennett, Planning Manager, presented the applicant’s request for approval for a Final Plat, SIA and Final Site Plan. The applicant Tim Crane, Compass Homes LLC, is requesting approval for the Final Plat and Final Site Plan for Angler Mountain Ranch Lakeside Townhomes Filing No.9. Gennett reported on the community meetings held to address neighbors’ concern and the Memorandum of Understanding reached with the neighbors. He reviewed his staff report and requested approval with no conditions

Tim Crane, Compass Homes LLC, gave the history of past approvals and changes that have been made since then to accommodate the neighbors to the north. He reviewed the Memorandum of Understanding agreement between South Forty property owners and Angler Mountain Ranch, the main part being a landscaped berm built along the north side of Filing 9, adjacent to South Forty. The street will be a one way from East to West, to mitigate interruptions from headlights. He reviewed the material, color scheme, architecture. He requested approval.

Public hearing opened.

Peter Wessel, 134 Lariat Loop, commended AMR for working with homeowners to the north. There were a lot of pieces to this puzzle, they have met throughout the month to address them and this is the best that we could do to mitigate them. They appreciate all of the efforts the developer put into this. He requested the Town extend the berm onto the Town’s property.

Sharon Swartz, 164 Lariat Loop, is the neighbor that lives immediately to the north of the proposed development. She thanked the developer for coming out to meet with the neighbors, walk the property and coming up with solutions to mediate the impact to their neighborhood. She asked Council if there is a possibility to extend the berm 20’ into the Town’s property. This is a piece of Town of Silverthorne open space that has sage and scrub grasses on it, it would be the ideal for them if the berm could be extended into that piece of open space. She just wanted to bring that up; the HOA will put together a letter to the Town making the request. She thanked the developer again.

Elliot Robertson, 123 Lariat Loop, asked if the Town and Developer could enter into the MOU, memorializing the agreement about maintaining the berm, not the HOA. The Town should also extend the berm onto their open space property. He asked, why does the berm make sense on the developer’s land and not the Town’s, since you are requiring that of him, why not yourselves? This development is going to have a huge effect on us and everything should be done to mitigate this huge development from our county subdivision.

Public hearing closed.

Butler stated he is not ready to move forward with anything being built on the Town’s open space. Council will only consider the plan before them tonight.

Camp asked for clarification on what the neighbors are asking for on the Town property, he requested it be considered by Council tonight.

Long requested the South Forty residents formally submit a request to extend the berm after the development is completed so Council can look at the actual impact.

Nadalín stated we have to treat the Town just like any other applicant, we would not allow any other applicant to proceed without a formal application.

Robertson thanked Council but wishes the development would not be built before they considered extending the berm.

Long appreciates the applicant coming forward with a clean application and quality product.

Camp wants to consider the berm tonight.

LONG MOVED TO APPROVE THE FINAL PLAT AND FINAL SITE PLAN – ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 9. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (KIEBER ABSENT)

B. Ordinance 2016-05; an Ordinance Enacting a New Article II of Chapter 5 of the Silverthorne Town Code to Establish the Silverthorne Arts and Culture Advisory Board, 2nd Reading

Public hearing opened.

Joanne Cook Recreation and Culture Director presented the Ordinance to Council for consideration. She reviewed the staff report and changes made since first reading.

No public comment, public hearing closed.

Council expressed their excitement in moving one more step in the process by forming the Silverthorne Arts and Culture Advisory Board.

NADALIN MOVED TO APPROVE ORDINANCE NO. 2016-05: AN ORDINANCE ENACTING A NEW ARTICLE II OF CHAPTER 5 OF THE SILVERTHORNE TOWN CODE TO ESTABLISH THE SILVERTHORNE ARTS AND CULTURE ADVISORY BOARD. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (KIEBER ABSENT)

C. Conditional Use Permit Renewal (CUP)– J&H Mountain Auto Services 205 & 207 Warren Avenue, Lot 2-A, Block 2, Enterprise Park Subdivision

Public hearing opened.

Lina Lesmes, Senior Planner, presented the applicant's request for an extension of his Conditional Use Permit for "Auto Storage" in the C-2 Zone District. She reviewed her staff report and Planning Commission's recommended conditions of approval. She presented a power point presentation, with pictures, noting violations the CUP's previous approval.

Kamil Petrik, Owner of JH Mountain Service, responded to the Town's concerns and conditions of approval for his Conditional Use Permit. He requested Council see his efforts to make this better.

Long feels the applicant has overgrown the space he is in.

Petrik stated all vehicles are moved into his space every night.

Long stated the violations are not just today, there are others.

Shattuck commended the applicant for his successful business, but agrees this might be too much business for the space.

Nadalín reminded the applicant that the Town Code has requirements; it is up to the applicant to see that the CUP's conditions are met.

Butler stated he wants to see every business succeed. He asked Petrik, as the owner of the business, what are you proposing to correct these problems and keep your business within your own property.

Petrik feels that they have addressed the issues by moving their vehicles out of the Town right-of-way as soon as they can. He reviewed some suggestions for snow stacking.

Nadalín again asked the applicant what you are going to do to fix the Town Code violations.

Brad Ruch, J&H Mountain Auto Service Manager, feels that they have been addressing these problems and will continue to work towards solution.

Council requested staff work with the applicant to figure out a way for him to operate within his own property and without violations and come back at the June 22, 2016 Town Council Meeting.

LONG MOVED TO CONTINUE THE PUBLIC HEARING UNTIL JUNE 22, 2016. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT. (KIEBER ABSENT)

ACTION ITEMS:

A. Appointment of Inaugural Arts and Culture Advisory Board Members

Joanne Cook, Recreation and Culture Director reviewed the need for board member appointments to the new Inaugural Arts and Culture Advisory Board. She reviewed her staff report and requested the three proposed appointments be made.

SHATTUCK MOVED TO APPOINT TO THE ART AND CULTURE ADVISORY BOARD COUNCILWOMAN JOANNE NADALIN TO A (1) YEAR TERM, COUNCILMAN DERRICK FOWLER TO A TWO (2) YEAR TERM, AND ANN-MARIE SANDQUIST SILVERTHORNE RESIDENT TO A THREE (3) YEAR TERM. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (KIEBER ABSENT)

DISCUSSION ITEMS:

Long asked staff to contact Collision Autobody about putting up their fence and not using the driveway.

INFORMATIONAL:

- A. March 2016 Sales Tax Review
- B. Planning Commission Meeting Minutes, May 17, 2016
- C. EDAC Meeting Minutes, May 3, 2016

LONG MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 7:48 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.