

TOWN OF AVON, COLORADO  
REGULAR COUNCIL MEETING FOR TUESDAY, MAY 9, 2006  
AVON MUNICIPAL BUILDING, 400 BENCHMARK ROAD



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**PRESIDING OFFICIALS**

<b>MAYOR</b>	<b>RON WOLFE</b>
<b>MAYOR PRO TEM</b>	<b>TAMRA NOTTINGHAM UNDERWOOD</b>
<b>COUNCILORS</b>	<b>DEBBIE BUCKLEY</b>
	<b>KRISTI FERRARO</b>
	<b>MAC McDEVITT</b>
	<b>AMY PHILLIPS</b>
	<b>BRIAN SIPES</b>

**TOWN STAFF**

<b>TOWN ATTORNEY: JOHN DUNN</b>	<b>TOWN CLERK: PATTY MCKENNY</b>
<b>TOWN MANAGER: LARRY BROOKS</b>	<b>ASSISTANT TOWN MANAGER: JACQUIE HALBURNT</b>

THIS MEETING IS OPEN TO THE PUBLIC; COMMENTS FROM THE PUBLIC ARE WELCOME

ESTIMATED TIMES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY, SUBJECT TO CHANGE WITHOUT NOTICE  
PLEASE VIEW AVON'S WEBSITE, [HTTP://WWW.AVON.ORG](http://www.avon.org), FOR MEETING AGENDAS AND COUNCIL MEETING MATERIALS  
AGENDAS ARE POSTED AT AVON MUNICIPAL BUILDING AND RECREATION CENTER, ALPINE BANK, AND CITY MARKET  
THE AVON TOWN COUNCIL MEETS ON THE SECOND AND FOURTH TUESDAYS OF EVERY MONTH

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**WORK SESSION AGENDA**  
**MEETING BEGINS AT 1:30 PM**

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- 1:15 PM – 2:30 PM** 1. **EXECUTIVE SESSION** (John Dunn, Town Attorney) pursuant to CRS 24-6-402(4)(b) conference with attorney for the local public body for the purpose of receiving legal advice on specific legal questions, specifically, Confluence Water Rights, legal strategy in the face of the Union Pacific's announcement of an intention to store rail cars in Minturn and a review of the decision of the district court in the appeal of the council's approval of PUD zoning for Lot 61, and ATS mediation
- 2:30 PM – 2:45 PM** 2. **APPROVAL OF WORK SESSION AGENDA & COUNCIL ASSIGNMENT UPDATES**
- 2:45 PM – 3:45 PM** 3. **2006 ECONOMIC BRIEFING FOR EAGLE COUNTY** (Don Cohen, Economic Council of Eagle County) Review of growth issues confronting Eagle County
- 3:45 PM – 4:00 PM** 4. **HABITAT FOR HUMANITY, PRESENTATION ON FOX HOLLOW DEVELOPMENT** (Tom Healy, Executive Director) An informational presentation about the Fox Hollow project, 16 new affordable housing units in Eagle County
- 4:00 PM – 4:15 PM** 5. **EAGLE COUNTY SCHOOL DISTRICT UPDATE** (Karen Strakbein, Business Manager) Update on various district topics
- 4:15 PM – 4:45 PM** 6. **STAFF UPDATES**
- a. Town of Avon 2006 Street Improvements – Construction Activity and Schedule Update (Norm Wood, Town Engineer) Review of the two phases of street improvements
  - b. Project Status & Summary Report / Memo Only
  - c. Avon Streetscape Lighting Conversion Program Update Plan (Norm Wood, Town Engineer) Memo Only / Program to replace existing streetscape fixtures for consistency town wide
- 4:45 PM** 7. **ADJOURNMENT**

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**LIQUOR LICENSING AUTHORITY AGENDA**  
**MEETING BEGINS AT 4:45 PM**

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**1. CALL TO ORDER / ROLL CALL**

**2. PUBLIC HEARING ON SPECIAL EVENT PERMITS**

a. Applicant: Team Evergreen Bicycle Club  
Event: 2006 Triple Bypass Bicycle Tour  
Date: July 8, 2006 / 11 AM to 9 PM  
Manager: Leslie Caimi  
Location: Nottingham Park, Avon

b. Applicant: Eagle Valley Humane Society  
Event: Salute to U.S.A.  
Date: July 3, 2006 / 4 PM to 10:30 PM  
Manager: Char Quinn  
Location: Nottingham Park, Avon

**3. RENEWAL OF LIQUOR LICENSES**

a. Applicant: Finnegan's Wake Irish Pub  
Manager: Margaret Parker  
Location: 82. E. Beaver Creek Blvd.  
Type: Hotel / Restaurant Liquor License

b. Applicant: Mt. Everest Restaurant, LLC d/b/a Narayan Thai Restaurant  
Manager: Shyam Shrestha  
Location: 48 E. Beaver Creek Blvd  
Type: Hotel / Restaurant Liquor License

c. Applicant: Outback /Denver I LP Outback Steakhouse #0623  
Manager: Lamar Gentry  
Location: 240 Chapel Place, Bldg B  
Type: Hotel / Restaurant Liquor License

d. Applicant: Wal Mart Stores, Inc. d/b/a Wal Mart Supercenter #1199  
Manager: Steven Speights  
Location: 171 Yoder Avenue  
Type: 3.2% Beer (Off Premise) License

**3. OTHER BUSINESS**

**4. CONSENT AGENDA**

**5. ADJOURNMENT**

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**REGULAR COUNCIL MEETING AGENDA**  
**MEETING BEGINS AT 5:30 PM**

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**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST**

**4. CITIZEN AND COMMUNITY INPUT**

**5. INTRODUCTION OF NEW POLICE CHIEF, BRIAN KOZAK**

**6. ORDINANCES**

- a. **Public Hearing** Ordinance No. 06-06, Series of 2006, Second Reading, An Ordinance Amending Title 8, Municipal Code of the Town of Avon, Defining Building Activity, Declaring Abandoned Building Activity a Public Nuisance, and Providing Penalties For Abandonment (Tambi Katieb, Community Development Director) the proposed amendment is intended to expand the ability of the Town to provide abatement for abandoned construction activity
- b. **Public Hearing** on Ordinance No. 06-07, Series of 2006, Second Reading, An Ordinance Amending Titles 12 And 16, Municipal Code Of The Town Of Avon, To Increase Any Guarantee Of Public Improvements To Two Years (John Dunn, Town Attorney) Revision to extend the warranty period from one year to two years; a clause included in subdivision improvements agreements
- c. Ordinance No. 06-08, Series Of 2006, First Reading, Ordinance Amending Title 3, Avon Municipal Code Concerning The Public Accommodations Tax And Real Property Transfer Tax To Provide A Credit Against Such Taxes Due If Certain Public Improvement Fees Have Been Paid In Connection With The Development Known As The Confluence (John Dunn, Town Attorney) Proposed credit against the real estate transfer tax and the public accommodations tax under certain circumstances, allowing for implementation of the approved Amended and Restated Development Agreement and Facilities Operation Agreement for the Confluence Project
- d. Ordinance No. 06-09, Series Of 2006, First Reading, An Ordinance Amending Chapter 17.14, Title 17, Avon Municipal Code, Relating To Vested Property Rights (John Dunn, Town Attorney) Amendments to vested property rights chapter that are related to changes in state statutes
- e. Ordinance No. 06-10, Series Of 2006, First Reading, An Ordinance Amending Titles 16 And 17, Avon Municipal Code, Relating To Applications For Development And Subdivision Approval And Erection Or Construction Of Improvements (John Dunn, Town Attorney) Revisions to Code related to development agreement applications

**7. RESOLUTIONS**

- a. Resolution No. 06-20, Series of 2006, Resolution approving Agreement for Dedication of Augmentation Water and Related Water Rights for the Confluence (Norm Wood, Town Engineer) Agreement establishes a maximum development level (458.55 Single Family Equivalents, SFE's) for the Confluence project
- b. Resolution No. 06-21, Series of 2006, Resolution approving Amendment to Restated Water Lease and Supplemental Water Lease between the Town of Avon and Upper Eagle Regional Water Authority for the Provision of Water Service for the Town of Avon, Eagle County, Colorado (Norm Wood, Town Engineer) Approvals of water service to the Confluence project by UERWA & East West Resort Development XIV, L.P., L.L.L.P.
- c. Resolution No. 06-23, Series of 2006, Resolution to Amend the 2006 Town of Avon Budget (Scott Wright, Finance Director) Budget amendment to the Transit Enterprise Fund

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**RESOLUTIONS - CONTINUED**

- d. Resolution No. 06-24, Series of 2006, Resolution approving the Final Plat, A Resubdivision of Lot 68, Block 3, Wildridge Subdivision, Town of Avon, Eagle County, Colorado (Norm Wood, Town Engineer) Developer submitted a final plat to resubdivide the property creating duplex lots 68A & 68B, address 4235 Wildridge Road East

**8. NEW BUSINESS**

**9. OTHER BUSINESS**

**10. UNFINISHED BUSINESS**

**11. TOWN MANAGER REPORT**

**12. TOWN ATTORNEY REPORT**

**13. MAYOR REPORT**

**14. FUTURE AGENDA ITEMS:** DRAFT AUDITED 2005 FINANCIAL STATEMENTS, DESIGN WORKSHOP ECONOMIC ANALYSIS OF PROPOSED MAIN STREET IMPROVEMENTS, SITE TOUR OF VILLAGE AT AVON

**15. CONSENT AGENDA**

- a. Minutes from April 25, 2006 Meeting
- b. Eaglebend Drive/Stonebridge Road Streetscape Project – Stonebridge road Bridge Additional Architectural & Engineering Services (Norm Wood, Town Engineer) Proposal for replacing bridge rail on the Stonebridge Road Bridge that is compliant with state standards
- c. Riverfront Subdivision / Town of Avon CIP Proposal / Short Elliot Hendrickson, inc. Construction Management / Inspection Service (Norm Wood, Town Engineer) Agreement for service for oversight over public improvement project
- d. 2006 ECO Transit Summer Service Agreement (Bob Reed, Transit Director) Agreement for bus parking at Swift Gulch facility for ECO

**16. ADJOURNMENT**