



Minutes
Town of Blue River
Regular Meeting of the Board of Trustees
June 16, 2020
6:00 p.m.

Conferencing Access Information: <https://global.gotomeeting.com/join/282857965>

Join via phone at [1 877 309 2073](tel:18773092073); [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 282-857-965

The June Meeting will be open to the public via the GoToMeeting link only. All citizens wishing to attend are asked to log into the virtual meeting. If you are wishing to provide Citizen Comments or participate in the public hearings, please email Michelle Eddy, Town Manager at michelle@townofblueriver.org by 4:00 p.m. Monday, June 15th to receive additional information. Please also refer to our website for information on participating in the virtual meeting <https://townofblueriver.colorado.gov/town-info/meetings/guidelines-for-public-participation-in-virtual-public-hearings>

I. REGULAR MEETING OF THE BOARD OF TRUSTEES, 6:00 p.m.

II. CALL TO ORDER, ROLL CALL

- Mayor Babich called the Regular Meeting of the Board of Trustees to order at 6:00 p.m. The Trustees were present in person with public invited via recorded GoToMeeting.
 - Roll Call
 - Dan Cleary
 - Joel Dixon
 - Mark Fossett
 - Ted Pilling
- Mayor Babich and Trustee Kelly Finley attended via GoToMeeting. Trustee Robertson was absent. Also present: Town Manager/Clerk, Michelle Eddy.; Town Attorney Robert Widner.

III. APPROVAL OF CONSENT AGENDA

- **MINUTES, May 19, 2020**
- **Approval of Bills-\$20,773.53**
 - Trustee Cleary reviewed the minutes from May and clarified discussion on Housing Helps. Discussion it should state removal of the notice. Discussion all was good.
 - Trustee Cleary moved and Trustee Pilling seconded to approve the consent agenda. Motion passed unanimously.

IV. COMMUNICATIONS TO TRUSTEES

This is an opportunity for Citizens to bring comments and questions to the Board of Trustees not being addressed in the Regular Meeting Agenda. Please limit comments to 3 minutes. Citizens are asked to approach the podium state their name and address for the record.

Please use the comments section on the meeting site to speak or ask a questions. You may also text your questions to (970) 406-2430.

- Citizen Comments (Non-Agenda Items Only)
 - Paul Semmer, Blue Grouse Trail. Noted available for questions for the Quandary Trail discussion.
- Citizen Communications (letters & emails)
 - Manager Eddy noted the one email communication received has been turned over to the Police Department and responded to.

V. NEW BUSINESS

- Quandary Trail Head Workgroup-Brian Lorch, Summit County Open Space & Trails
 - Manager Eddy noted information was provided in the packet. She gave a brief background on the project and what is being sought. Brian Lorch with Summit County Open Space & Trails spoke further on the subject.

- Discussion to participate in seeking an RFP and then see what the commitment would be from there. Discussion to include the Trails Committee and see what the Town's potential impact and objective of participating.
- Review Draft Ordinance 2020-09 Chapter 2 Planning & Zoning Ordinance
 - A draft amendment to the Town Code was presented pertaining to the Planning and Zoning Commission. Manager Eddy noted to the previous code was written in 2005 prior to full time staff and noted Town Attorney Widner provided a memo in the packet as to the need for the update. If approved the code will be presented for approval in July. All existing Planning & Zoning Members would be invited to apply along with members of the public. The new Commission would be appointed in December to begin in January. The structure would also change to have a non-voting Board liaison as the eighth member.
 - Town Attorney Widner noted a new ordinance will be more formal and consistent with State Law.
 - Discussion that the proposed code will be presented for comment to the current Commission. However, the Trustees will approve the final code.
 - Discussion on reasoning for the change and timing. Clarification on duties and review of plans. Discussion to continue to include information on architectural review within the code.
 - Discussion to have four year terms versus three year terms and stagger. Noted to include training for those that are appointed. It was recommended to make this change.
 - Attorney Widner noted the PZ would be in charge of the design standards. He noted that the existing design standards need to be improved upon. He also noted that the powers of PZ are not changing but it is a reorganization with State Statute.
 - Mayor Babich noted this reorganization will provide a foundation and establish a proper process based on best practices and a more functional committee. He noted it better defines the roles of the commission and staff with a fresh start.
 - Noted the design review guidelines will be placed within Chapter 16-Zoning.
 - Next steps would go to Planning and Zoning and then back to Trustees.
- Ordinance 2020-10 Regarding Garage Size Limitation
 - Manager Eddy noted that per the request of the Trustees to address garage sizes for larger homes and shed uses, the Planning and Zoning Commission added additional guidelines for recommended approval.
 - Attorney Widner reviewed changes. Discussion on measurement of square footage should be total square footage.
 - Discussion to allow personal recreational vehicles to be stored in sheds.
 - Trustee Cleary moved and Trustee Pilling seconded to approve the first reading of Ordinance 2020-10 Regarding Garage Size Limitation for publication with amended language from corporation to town and to allow for storage of personal recreational vehicles in sheds for second reading. Motion passed unanimously.
- Ordinance 2020-11 Outdoor Lighting & Dark Sky
 - Per the recommendation of the Planning and Zoning Commission, Town Attorney Widener presented an ordinance for outdoor lighting and Dark Sky. A memo was included with the packet.
 - Attorney Widner noted that this type of ordinance is complicated and not common in municipal code. The code presented was designed to have teeth but also kept simple to fit Blue River.
 - Martie Semmer, Blue Grouse trail noted the proposed code is done well. Ms. Semmer presented suggestions to improve what was presented.
 - Asked for clarification and wording for purpose and expand definition.
 - Asked to have light pollution defined.
 - Ms. Semmer will email comments and recommendations.
 - Noted that language of dark skies should be removed if dark skies is not the goal and change to natural lighting.
 - Ryan Parker asked for clarification on if there was a negative stigma on dark skies. Trustee Fossett provided clarification on the goal and what is attainable for the Town.
 - Parker provided suggestions and tips on how to achieve dark skies.

- Discussion of developing a guideline to be referenced within the ordinance as well as additional recommended changes.
- Noted that the new code will apply to new construction or homes making changes but will “encourage” existing homes to make changes.
- Decision to table to provide for the amendments and come back in July with a new first reading.
- Ordinance 2020-12 Home Occupations
 - Per the discussion from May, this ordinance outlines rules and regulations for home occupations/businesses.
 - Discussion on reasoning for prohibiting taxidermy. Review of different areas and clarification.
 - Discussion of whether to include day cares and how they would be permitted. Noted the State restrictions would limit the ability. Recommendation to have day cares be licensed by the State to be allowed.
 - Discussion of requiring a business license.
 - Trustee Cleary moved and Trustee Finley seconded to approve the first reading of Ordinance 2020-12 Home Occupations for publication with noted amendments for second reading. Motion passed unanimously.
- Ordinance 2020-13 Public Records Policy
 - Manager Eddy noted the need to update the public records policy to be in line with State Statute.
 - Trustee Finley moved and Trustee Pilling seconded to approve the first reading of Ordinance 2020-13 Public Records Policy for publication. Motion passed unanimously.
- Discussion on Ridgeline Guidelines
 - Manager Eddy noted the redline notes in the packet from Planning and Zoning Chair, Tim Johnson. The notes are made on the Breckenridge Ridgeline ordinance. Planning and Zoning would like to adopt a ridgeline ordinance for the Town. Input is being sought from the Trustees. A draft ordinance will be presented in July to Planning and Zoning for review and recommendation to the Board of Trustees.
 - Attorney Widner noted that Castle Rock has an ordinance that is a better fit for Blue River. He noted the goal would be to minimize the impact but not prevent building on the ridgeline.
 - Discussion to have something drafted for review for further discussion.
 - Noted that this would impact very few properties and the ridgeline needs to be identified.
- Discussion Three Mile Plan
 - Town Attorney Widner provided a background and need to update the Town’s Three Mile Plan before any possible annexation may take place. Draft, reline recommendations were included in the packet. Noted this is necessary before any annexation may take place. Noted the plan is advisory and not binding but required by State Law. He recommends to adopt the plan and bring it up to date.
 - Discussion on additional wording and clarifications.
 - The resolution will be brought back for approval in July.

VI. REPORTS

- Mayor-No report.
- Trustees
 - Trails Committee-Trustee Fossett
 - Trustee Fossett provided an update on work on an easement on Coronet. Homeowners are interested in providing an easement.
 - Discussions are continuing on another lot in the Coronet. The homeowner is not willing to provide an easement. It has been suggested to the homeowner about the Town purchasing the lot. To date the homeowner has not replied.
 - Work is continuing on the Trails Plan and a possible modified Trails Day.
 - Transit Authority-Trustee Pilling
 - No report.
 - Wildfire Council-Trustee Dixon
 - No report
 - Planning & Zoning-Trustee Robertson
 - No report

- Citizen Advisory Committee-Trustee Finley
 - Trustee Finley reported the committee is continuing work on the Noxious Weed Plan. In addition a possible webinar will be offered for a night under the stars informative session.
- Other Trustees Reports
 - Trustee Cleary discussed the police situation in the news and gave thanks and commended the Police Department and instead of defund, should be defend the Police Department.
 - a. Discussion of impacts that would be felt with new bill being signed. Attorney Widner reported that CML is working on the unfunded mandates of records, training and cameras.
 - b. Thanks given to Police and team as already being community minded.
 - Trustee Cleary noted that he would like to see information be sent to the Trustees earlier to allow for better preparation and review.
 - Trustee Cleary reviewed a citizen comment about the dam project and the proposed secondary access. Noted that communication needs to be made to the neighborhood.
 - Discussion of code updates and how to submit any items needing to update. Trustee Cleary will submit items he has found to Attorney Widner for review.
- Department/Staff Reports
 - Manager Eddy reported that work will begin on updating the Comprehensive Plan applications are being sought for appointments of the Comprehensive Plan Committee.
 - Trustees Cleary and Fossett are interested.
 - Discussion to have security window installed along with any needed safety expenses for the police department. Information and bids will be brought back in July.
- Attorney's Report
 - No report.

VII. EXECUTIVE SESSION- Executive Session pursuant to C.R.S. 24-6-402 (4)(b) for the purpose of seeking legal advice pertaining to annexations.

- Mayor Babich moved and Trustee Dixon seconded to adjourn into executive session pursuant to C.R.S. 24-6-402 (4)(b) for the purpose of seeking legal advice pertaining to annexations at 9:24 p.m.
- Trustee Fossett moved and Trustee Finley seconded to adjourn out of executive session pursuant to C.R.S. 24-6-402 (4)(b) for the purpose of seeking legal advice pertaining to annexations at 10:24 p.m. with no action taken.

VIII. OTHER BUSINESS

IX. Next Meeting, Tuesday, July 21, 2020

There being no further business before the Board, Trustee Fossett made a motion to adjourn the meeting. Trustee _Finley seconded the motion. Mayor Babich adjourned the regular meeting 10:24 p.m.

Respectfully Submitted:

Michelle Eddy, Town Clerk