



AGENDA
HAYDEN TOWN COUNCIL MEETING
THURSDAY, JUNE 16, 2016
7:30 P.M.
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE

WORK SESSION 7:00 P.M. – 7:30 P.M.

1. STAFF REPORTS

REGULAR MEETING – 7:30 P.M.

1a. CALL TO ORDER

1b. OPENING PRAYER

1c. PLEDGE OF ALLEGIANCE

1d. ROLL CALL

2. CONSIDERATION OF MINUTES

A. Regular Meeting June 2, 2016

Page 3

3. CONSIDERATION OF BILLS

A. Consideration of payment bill vouchers dated June, 2016

Page 9

4. PUBLIC COMMENTS

5. PROCLAMATIONS/PRESENTATIONS

6. CONSENT ITEMS

A. Decision: Consideration to approve Renewal Wolf Mountain Liquor License

Page 16

B. Decision: Consideration to approve Street/Parade Closure for Hayden Daze

Page 18

C. Decision: Consideration to approve Special Events Liquor License for Hayden Daze

Page 22

D. Decision: Consideration to waive Special Events Liquor License fee for Hayden Daze

7. OLD BUSINESS

A. Public Hearing: Ord 672 McCarty II Annexation

B. Decision: 2nd Reading Ord 672 McCarty II Annexation

Page 32

C. Public Hearing: Ord 673 McCarty II Zoning

D. Decision: 2nd Reading Ord 673 McCarty II Zoning

Page 51

E. Public Hearing: Ord 674 Sales Tax Increase

F. Decision: 2nd Reading Ord 674 Sales Tax Increase

Page 59

G. Public Hearing: Ord 675 Mill Levy Rate Increase

H. Decision: 2nd Reading Ord 675 Mill Levy Rate Increase

Page 64

NOTICE: Agenda is subject to change. If you require special assistance in order to attend any of the Town's public meetings or events, please notify the Town of Hayden at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made.

8. NEW BUSINESS

- A. Decision: 1st Reading Ord 676 Street Vacation Page 68
- B. Decision: Resolution 2016-17 Acceptance of Substantial Completion of the WWTF
Outfall Lift Station and Forcemain Project Page 84
- C. Decision: Resolution 2016-18 Dry Creek Concession Agreement Page 88
- D. Discussion: Planning Review Update Page 105

9. PULLED CONSENT ITEMS

10. STAFF AND COUNCILMEMBER REPORTS (CONTINUED, IF NECESSARY)

11. EXECUTIVE SESSION

12. ADJOURNMENT

Staff & Councilmember Reports

Greg Tuliszewski reported on the following

Public Works Department

- Started crack sealing streets
- Shouldered the Industrial Park
- Fire flowed fire hydrants at the airport with the fire department
- Preparing the ballfields for league competition: mowing, fertilizing and adding infield mix
- Finished the dugouts at the Elementary field

Water/Sewer Department

Water

- Tank divers were here today to clean, inspect and make repairs to the Hospital Hill Tank. Tomorrow they will finish repairs to Hospital Hill then dive Seneca Hill Tank to inspect for warranty purposes.
- Production at the plant is ramping up for summer.
- Town owned backflow devices got tested and most passed their annual inspection. Vista Verde Park was not installed correctly and will need to be moved from below ground to above.
- The new computer system is being installed tomorrow at the water plant by Browns Hill Engineers

Sewer

- Browns Hill Engineers will complete their install of the new soft start (\$6,000) for blower #2. Hopefully it will resolve the lingering issues with that blower and we will be back to normal operation soon.

Parks:

- Baseball & Softball have games underway.
- Stokes Gulch MotoX is being worked to get the dirt ridable; working with Corey Hunter.
- Huck Finn Day is Saturday at 9:30am. Hayden Parks and Recreation usually feed about 200 people and planning on the same this year. Craig Wave Pool donated passes to give as prizes for the Huck Finn and Becky Thatcher look-a-like contest.
- Triple Crown competition hits Town of Hayden on June 9th.
- Dry Creek Park concessions bid was due today. We received two bids. The Hayden Parks and Recreation board is reviewing both bids and will have a formal recommendation at the June 16th Town Council meeting. Mike Holloran has already drafted a contract agreement to be completed with the winning bidder information.
- Fishing is Fun Grant close to complete; Jim Haskins is working with public works regarding the purchase and installation of the aerator. Jill is ordering the dock. Hope to have both completed toward the end of the summer.

Police Department:

- 3rd Annual Ride the Cog was held on May 21st – This year the process was much better and there were no unexpected issues. Mr. Delany did a good job of coordinating with

Draft minutes subject to editing and approval prior to becoming official record.

the Town and staff to make this a successful event. Public works and Police personnel assisted with traffic control at the event.

- Hayden Graduation was May 22nd – this event saw 18 of Hayden’s finest young folks graduate and complete the requirements for a High School Diploma. The event was problem free. Officers from Routt County Sheriff’s Department, in addition to Officers from Hayden Police Department attended the happy event.
- With the warmer months the call load has increased significantly for the officers. In addition to assisting with 3 fatal car crashes (in the surrounding county jurisdiction) officers have also investigated several Domestic Violence cases, have taken 3 traffic accident reports, handled numerous code and muni violations and provided extra presence over the holiday weekend.
- Memorial Day weekend was normal, with the usually calls for service.

Administration:

- On May 26th, the Planning Commission met to discuss, review, and approve the McCarty Annexation and forward the same to Town Council for public hearing and approval.
- Planning Commission will be meeting on June 9th, in order to review and discuss the first Conditional Use Permit for Bayou Breeze to be located in the Industrial Park. There will be a public comment section on this date as well.
- RG representative Ross Culbertson was in Town Hall on Thursday and part of Friday to meet with various people that had planning items or questions for the planning process. The idea is to be able to put a face with a name and have personal contact with this part of the process. RG is planning on doing this a couple times a month during the busy time of year.
- The Town Hall has been re-keyed and several of the minor security improvements are being done. This project is hoped to be completed by the middle of June.
- Town Manager Recruitment Process update.
- Town Hall Staff realized during the software upgrade that many of the commercial accounts are not coded correctly and being charged the right amount for base water and sewer rates. A survey will go out next week to request information from commercial users to ensure the correct coding and rates are applied.

Staff reports will continue at the end of the meeting.

Mayor Haskins called the regular meeting of the Hayden Town Council to order at 7:39 p.m. Mayor Pro Tem Robinson present. Councilmembers Johnson, Redmond, Hayden, and Forrest present. Also present were Interim Town Manager and Police Chief, Greg Tuliszewski, and Town Clerk, Sharon Johnson.

Draft minutes subject to editing and approval prior to becoming official record.

Page 2 of 6

Opening Prayer Mayor Haskins offered the opening prayer.

Pledge of Allegiance Mayor Haskins led the Pledge of Allegiance.

Minutes – May 19, 2016 Mayor Pro Tem Robinson moved to approve the minutes of the Regular Town Council Meeting held on May 19, 2016. Councilmember Johnson seconded. Roll call vote. Councilmember Redmond – aye. Councilmember Johnson – aye. Mayor Pro Tem Robinson – aye. Councilmember Hayden – aye. Councilmember Forrest – aye. Mayor Haskins – aye. Motion carried.

Consideration of Bill Payment Voucher dated May 27, 2016 Councilmember Redmond moved to approve the bill payment voucher dated May 27, 2016 in the amount of \$ 77,774.63. Mayor Haskins seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

**Proclamations/
Presentations**

Public Comments Essam Welch, 265 W Washington Ave, Hayden, CO spoke to the Town Council regarding the proposed increase in sales tax and believes it is asking the smaller population of business to bear the burden of revenue increase to the Town of Hayden and it could possibly cause businesses to close shop or reduce the number of customers due to the increase.

John St. Pierre, 528 E Washington Ave, Hayden, CO, requested that the Town Council consider a Real Estate Transfer Tax to help increase revenues.

Terry McCarty, Hayden , CO, asked the Town Council to look at the budget and consider cutting expenses rather than increasing revenue through sales tax increase and property mill levy rate increase.

Gordon Dowling, Hayden, CO addressed the Town Council to impress upon them that he did not believe that the property tax would pass and it is a burden upon the residents of Hayden.

Amend Agenda Mayor Haskins moved to amend the agenda to add an agenda item to discuss Water/Sewer Tap payment plan under New Business after other business items complete. Councilmember Hagins seconded.

Draft minutes subject to editing and approval prior to becoming official record.

Roll call vote. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Consent Items

Old Business **None.**

New Business

Decision: 1st Reading Ordinance 672 An Ordinance approving the annexation of certain territory to the Town of Hayden, Colorado Mayor Pro Tem Robinson moved to approve the 1st Reading of Ordinance 672 An Ordinance approving the annexation of certain territory to the Town of Hayden, Colorado. Councilmember Redmond seconded. Roll call vote. Mayor Pro Tem Robinson – aye. Councilmember Forrest – aye. Councilmember Redmond – aye. Councilmember Hayden – aye. Councilmember Johnson – aye. Mayor Haskins – aye. Motion carried.

Decision: 1st Reading Ordinance 673 An Ordinance establishing the zoning designation for property annexed to the Town of Hayden, Colorado designated as the McCarty Annexation II Councilmember Hayden moved to approve 1st Reading Ordinance 673 An Ordinance establishing the zoning designation for property annexed to the Town of Hayden, Colorado designated as the McCarty Annexation II. Councilmember Redmond seconded. Roll call vote. Councilmember Hayden – aye. Mayor Pro Tem Robinson – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Mayor Haskins – aye. Councilmember Johnson – aye. Motion carried.

Decision: 1st Reading Ordinance 674 An Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the general election to be held November 8, 2016, a ballot issue concerning the imposition of an Mayor Pro Tem Robinson moved to approve: 1st Reading Ordinance 674 An Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the general election to be held November 8, 2016, a ballot issue concerning the imposition of an increase in the sales tax from 4.0% to 4.5% and, upon elector approval, amending the Hayden Municipal Code to provide for the same. Councilmember Redmond seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – nay. Councilmember Redmond – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

*Draft minutes subject to editing and approval prior to becoming official record.
Page 4 of 6*

increase in the sales tax from 4.0% to 4.5% and, upon elector approval, amending the Hayden Municipal Code to provide for the same

Decision: 1st Reading Ordinance 675 An Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the regular town election to be held November 8, 2016, a ballot issue concerning the imposition of an increase in the real property tax mill levy from 25.067 to 32.587

Councilmember Johnson moved to approve the 1st Reading Ordinance 675 An Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the regular town election to be held November 8, 2016, a ballot issue concerning the imposition of an increase in the real property tax mill levy from 25.067 to 32.587. Mayor Haskins seconded. Roll call vote. Councilmember Redmond – aye. Councilmember Hayden – aye. Councilmember Johnson – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Decision: Resolution 2016-15 A Resolution reactivating the intergovernmental agreement between the town of Hayden and Routt County for the purpose of participation in the coordinated election to be held November 8, 2016

Councilmember Johnson moved to approve: Resolution 2016-15 A Resolution reactivating the intergovernmental agreement between the town of Hayden and Routt County for the purpose of participation in the coordinated election to be held November 8, 2016. Councilmember Redmond seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Decision: Resolution 2016-16 A Resolution approving a lease with Morrison Custom Builders for use of 530 W

Mayor Pro Tem Robinson moved to approve Resolution 2016-16 A Resolution approving a lease with Morrison Custom Builders for use of 530 W Ironhorse Road, Lot 3 Hefty-Lipson Minor. Councilmember Johnson seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye.

Draft minutes subject to editing and approval prior to becoming official record.

**Ironhorse Road, Lot 3
Hefty-Lipson Minor** **Mayor Haskins – aye. Motion carried.**

Pulled Consent Items **None.**

**Staff and
Councilmember
Reports Continued** **None.**

Executive Session **None.**

Adjournment **Mayor Haskins adjourned the meeting at 8:30 p.m.**

Recorded by:

Sharon Johnson, Town Clerk

APPROVED THIS 2nd DAY OF June, 2016.

James M. Haskins, Mayor

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
12293	All Around Real Estate LLC	971.04	Utility deposit refund	05/25/2016	2.69	.00		
Total 12293:					2.69	.00		
6970	Bear River Excavating	735	Haul road base and pit run	05/27/2016	1,918.75	.00		
Total 6970:					1,918.75	.00		
1200	Bear River Valley Co-Op	05252016	Streets Vehicle Expense - Fuel	05/25/2016	363.98	.00		
1200	Bear River Valley Co-Op	05252016	Streets Vehicle Maintenance - Fu	05/25/2016	176.56	.00		
1200	Bear River Valley Co-Op	05252016	Streets Weed Control - Fuel	05/25/2016	70.16	.00		
1200	Bear River Valley Co-Op	05252016	Parks Equipment Expense - Fuel	05/25/2016	382.92	.00		
1200	Bear River Valley Co-Op	05252016	Parks - Trails Vehicle Exp - Fuel	05/25/2016	80.82	.00		
1200	Bear River Valley Co-Op	05252016	Water Vehicle Expense - Fuel	05/25/2016	182.31	.00		
1200	Bear River Valley Co-Op	05252016	PD Vehicle Maintenance - Fuel	05/25/2016	261.44	.00		
Total 1200:					1,518.19	.00		
12274	Bell, Kalli Deatherage	053116	Mileage reimbursement	05/31/2016	7.29	.00		
Total 12274:					7.29	.00		
7140	Bestway Concrete Company	303979	Ballfield Maintenance	05/27/2016	2,183.70	.00		
7140	Bestway Concrete Company	304129	Ballfield Maintenance	05/31/2016	4,377.86	.00		
7140	Bestway Concrete Company	304358	Ballfield Maintenance	06/01/2016	5,171.69	.00		
Total 7140:					11,733.25	.00		
1310	Boy-Ko Supply Co	55818 B/O	DCP Kitchen	05/06/2016	59.91	.00		
Total 1310:					59.91	.00		
1400	Caselle Inc	73361	Support Contract July	06/01/2016	366.17	.00		
1400	Caselle Inc	73361	Support Contract July	06/01/2016	183.08	.00		
1400	Caselle Inc	73361	Support Contract July	06/01/2016	183.08	.00		
Total 1400:					732.33	.00		
1410	CASH	6.2.16	baseball umpires	06/02/2016	400.00	.00		
Total 1410:					400.00	.00		
5440	Central Electric LLC	28516	PD Electrical Service	05/27/2016	146.90	.00		
Total 5440:					146.90	.00		
3770	CenturyLink	3058MAY16	Water Phones_3058	05/25/2016	52.71	.00		
3770	CenturyLink	3741MAY16	Admin Phones_3741	05/25/2016	414.07	.00		
3770	CenturyLink	4330MAY16	Sewer Phones_4330	05/25/2016	54.31	.00		
Total 3770:					521.09	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
9230	Chaosink	8644	PWW Shirts	04/07/2016	1,380.50	.00		
9230	Chaosink	8664	PWW Tourney	04/07/2016	593.40	.00		
9230	Chaosink	8665	PWW Tourney	04/07/2016	240.00	.00		
9230	Chaosink	8725	Cog Run	05/06/2016	1,270.95	.00		
9230	Chaosink	8770	Baseball	05/23/2016	2,000.50	.00		
9230	Chaosink	8810	Softball shirts	06/03/2016	692.20	.00		
Total 9230:					6,177.55	.00		
12099	Chemtrade Chemicals US LLC	91820346	WTP Chemicals	05/17/2016	4,211.26	.00		
Total 12099:					4,211.26	.00		
12074	CliftonLarsonAllen LLP	1282038	Accounting services April	05/24/2016	2,376.20	.00		
12074	CliftonLarsonAllen LLP	1282038	Accounting services April	05/24/2016	1,187.50	.00		
12074	CliftonLarsonAllen LLP	1282038	Accounting services April	05/24/2016	1,187.50	.00		
Total 12074:					4,751.20	.00		
12294	Create A Stir	1	DCP kitchen	04/27/2016	75.00	.00		
Total 12294:					75.00	.00		
7630	David R Hood Electric Inc	05242016	WWTP R&M	05/24/2016	687.13	.00		
Total 7630:					687.13	.00		
4890	FedEx	5-422-72353	Water Sample Shipping	05/19/2016	36.07	.00		
Total 4890:					36.07	.00		
12127	Garfield & Hecht, PC	138469	Legal Services	04/30/2016	34.00	.00		
Total 12127:					34.00	.00		
3870	Grainger Inc	9121112503	Street Tools	05/24/2016	99.00	.00		
Total 3870:					99.00	.00		
2460	Hach Company	9948324	WTP R&M - controller	05/26/2016	1,908.39	.00		
Total 2460:					1,908.39	.00		
12297	Harris, Kenny	06082016	PD Building - reinforce front windo	06/08/2016	500.00	.00		
Total 12297:					500.00	.00		
12109	Haskins Cleaning	MAY2016	Town Hall Cleaning - May	06/06/2016	200.00	.00		
Total 12109:					200.00	.00		
2470	Haskins, Jim	363773	Stamp	05/26/2016	30.00	.00		
Total 2470:					30.00	.00		
9500	Hayden Mat & Frame	1873.05	Utility deposit refund	06/02/2016	16.82	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 9500:					16.82	.00		
2580	Hayden Merc	01-331080	Cog Run	05/04/2016	30.54	.00		
2580	Hayden Merc	01-332151	Parks supplies	05/07/2016	10.94	.00		
2580	Hayden Merc	01-338041	HPR Board	05/18/2016	35.37	.00		
2580	Hayden Merc	01-341285	Parks restrooms	05/25/2016	159.84	.00		
2580	Hayden Merc	02-359692	Town Hall cleaning supply	05/02/2016	9.56	.00		
2580	Hayden Merc	02-360281	Town manager recruit	05/03/2016	2.90	.00		
2580	Hayden Merc	02-368141	Meeting with manager recruiter &	05/20/2016	44.88	.00		
2580	Hayden Merc	02-373463	Streets supplies	05/31/2016	38.83	.00		
2580	Hayden Merc	03-341441	Town manager recruitment	05/03/2016	7.77	.00		
2580	Hayden Merc	03-341840	Town manager recruitment	05/04/2016	94.96	.00		
2580	Hayden Merc	03-342819	Cog Run	05/06/2016	160.75	.00		
2580	Hayden Merc	03-343298	Cog Run	05/07/2016	105.43	.00		
2580	Hayden Merc	2-365085	Hayden Clean Up Day	05/14/2016	26.98	.00		
Total 2580:					728.75	.00		
7360	Hayden School District RE-1	04282016	Cog Run	04/28/2016	200.00	.00		
Total 7360:					200.00	.00		
2640	Holloran LLC, Michael J	05202016	McCarty Annexation	05/20/2016	422.92	.00		
2640	Holloran LLC, Michael J	05202016	Routt County RV Park	05/20/2016	116.67	.00		
2640	Holloran LLC, Michael J	05202016	General election	05/20/2016	204.16	.00		
Total 2640:					743.75	.00		
7095	Identity Graphics, Inc.	7980	Cog Run	05/06/2016	168.00	.00		
Total 7095:					168.00	.00		
12233	Integrated Voting Sol. Inc	10198	Election ballots	05/24/2016	2,211.32	.00		
Total 12233:					2,211.32	.00		
12096	JVA, Inc	60696	2017 Street/Roadway Improve	05/23/2016	2,795.51	.00		
Total 12096:					2,795.51	.00		
12295	Magee, Trea & Stacy	163.02	Utility deposit refund	05/27/2016	75.00	.00		
12295	Magee, Trea & Stacy	976.04	Utility deposit refund	05/27/2016	75.00	.00		
Total 12295:					150.00	.00		
9060	Mid-American Research Chemical	0580039-IN	Washington Lift chemicals	05/13/2016	350.00	.00		
9060	Mid-American Research Chemical	0580039-IN	Airport Lift chemicals	05/13/2016	350.00	.00		
9060	Mid-American Research Chemical	0580039-IN	Dry Creek Lift chemicals	05/13/2016	390.00	.00		
9060	Mid-American Research Chemical	0580039-IN	West End Lift chemicals	05/13/2016	350.00	.00		
9060	Mid-American Research Chemical	0580039-IN	WWTP chemicals	05/13/2016	212.96	.00		
Total 9060:					1,652.96	.00		
12296	Mitre, Bill	506.08	Utility deposit refund	05/25/2016	1.19	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12296:					1.19	.00		
2960	MJK Sales & Feed Inc	17415	Ballfield	05/26/2016	297.80	.00		
2960	MJK Sales & Feed Inc	17415	Vista Verde	05/26/2016	11.69	.00		
2960	MJK Sales & Feed Inc	202900	DCP Kitchen	05/12/2016	79.99	.00		
2960	MJK Sales & Feed Inc	203769	WTP R&M - parts	05/24/2016	24.24	.00		
2960	MJK Sales & Feed Inc	203882	WTP R&M - parts	05/25/2016	31.46	.00		
2960	MJK Sales & Feed Inc	203984	West End Lift R&M	05/26/2016	189.98	.00		
2960	MJK Sales & Feed Inc	203985	Parks - batteries and tools	05/26/2016	87.91	.00		
2960	MJK Sales & Feed Inc	203987	Streets R&M - Weed control	05/26/2016	89.98	.00		
2960	MJK Sales & Feed Inc	204782	PD supplies	06/04/2016	132.14	.00		
Total 2960:					945.19	.00		
8920	Murdoch's Ranch & Home Craig	147088/R	Weed control - hose parts	04/28/2016	37.94	.00		
8920	Murdoch's Ranch & Home Craig	147142/19	PD expense - sprinkler	05/10/2016	29.99	.00		
Total 8920:					67.93	.00		
4060	Murray Dahl Kuechenmeister	13109	Election ballot questions	05/31/2016	637.50	.00		
Total 4060:					637.50	.00		
8410	Native Excavating Inc.	PAY REQUES	Pay Request #4 WWTF Outfall	03/28/2016	3,798.81	.00		
8410	Native Excavating Inc.	RETAINAGE	WWTP Outfall request #5 retainag	05/31/2016	14,280.00	.00		
Total 8410:					18,078.81	.00		
1780	Peak Performances Imaging Sol.	47417	Installation of Laserfiche Client	04/11/2016	150.00	.00		
Total 1780:					150.00	.00		
3820	Postmaster	05312016	Postage permit	05/31/2016	500.00	.00		
3820	Postmaster	05312016	Postage permit	05/31/2016	500.00	.00		
3820	Postmaster	2016	PO Box service fee	06/01/2016	86.00	.00		
Total 3820:					1,086.00	.00		
3260	QA Balance Services Inc	9970	WTP lab equipment	05/18/2016	475.00	.00		
Total 3260:					475.00	.00		
12068	RG & Associates, LLC	1012020	General Planning	04/30/2016	6,465.25	.00		
12068	RG & Associates, LLC	1012050	Wagner	04/30/2016	372.75	.00		
12068	RG & Associates, LLC	1012050	Yampa Valley Brewing Co	04/30/2016	142.50	.00		
12068	RG & Associates, LLC	1012050	Bayou Breeze	04/30/2016	2,466.75	.00		
12068	RG & Associates, LLC	1012050	Routt County RV Park	04/30/2016	146.50	.00		
12068	RG & Associates, LLC	1012050	McCarty Annexation	04/30/2016	1,779.75	.00		
Total 12068:					11,373.50	.00		
2065	Routt County Auto Parts	10065-357274	PD vehicle - fuel cleaner	05/20/2016	26.65	.00		
2065	Routt County Auto Parts	10109-356715	Parks groomer	05/04/2016	2.49	.00		
2065	Routt County Auto Parts	10109-356751	Streets - weed control parts	05/05/2016	1.49	.00		
2065	Routt County Auto Parts	10109-356752	Weed sprayer	05/05/2016	1.49	.00		
2065	Routt County Auto Parts	10109-356760	Parks - field maint	05/05/2016	96.75	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2065	Routt County Auto Parts	10109-356833	Parks - wipers 4door	05/09/2016	19.98	.00		
2065	Routt County Auto Parts	10109-356861	Parks - trailer wire	05/10/2016	18.99	.00		
2065	Routt County Auto Parts	10109-356878	Parks - field maint	05/10/2016	1.49	.00		
2065	Routt County Auto Parts	10109-356897	Parks R&M	05/11/2016	15.48	.00		
2065	Routt County Auto Parts	10109-356923	Shop R&M	05/11/2016	12.33	.00		
2065	Routt County Auto Parts	10109-356958	Parks - capital improvement	05/12/2016	6.48	.00		
2065	Routt County Auto Parts	10109-356962	Parks - capital improvement	05/12/2016	5.40	.00		
2065	Routt County Auto Parts	10109-356994	Credit - Parks capital improvemen	05/13/2016	6.30-	.00		
2065	Routt County Auto Parts	10109-357182	Shop - tools	05/18/2016	31.99	.00		
2065	Routt County Auto Parts	10109-357390	Streets - vehicle filters	05/24/2016	28.98	.00		
2065	Routt County Auto Parts	10109-357423	WTP R&M - pipe tap	05/25/2016	7.29	.00		
2065	Routt County Auto Parts	10109-357475	Streets - strobe	05/26/2016	92.49	.00		
2065	Routt County Auto Parts	10109-357489	Streets - vehicle parts	05/26/2016	2.99	.00		
2065	Routt County Auto Parts	10109-357572	Streets - crack seal machine	05/31/2016	52.49	.00		
2065	Routt County Auto Parts	10109-357572	Streets - 04 chevy	05/31/2016	36.49	.00		
2065	Routt County Auto Parts	10109-357575	WTP - bucket	05/31/2016	3.99	.00		
2065	Routt County Auto Parts	1826-376328	WTP - drill bit	05/25/2016	24.99	.00		
Total 2065:					484.42	.00		
10610	SAFEbuilt, Inc.	0025008-IN	Building Department Services	05/31/2016	1,478.13	.00		
Total 10610:					1,478.13	.00		
12155	Salazar, Andrea	05312016	Mileage reimbursement	05/31/2016	40.18	.00		
Total 12155:					40.18	.00		
2740	Sensus USA	ZA17002584	Annual Support Contract	05/27/2016	1,665.98	.00		
Total 2740:					1,665.98	.00		
12248	SGS Accutest Inc	D5-75451	Water testing	05/26/2016	196.50	.00		
12248	SGS Accutest Inc	D5-75477	Water testing	05/26/2016	253.50	.00		
12248	SGS Accutest Inc	D5-75508	Water testing	05/26/2016	109.50	.00		
Total 12248:					559.50	.00		
3460	Shepherd & Sons Inc	40719	Annual HVAC startup	05/31/2016	190.00	.00		
Total 3460:					190.00	.00		
4880	Sprint	918280746-02	Sewer Cell Phone	05/29/2016	83.21	.00		
4880	Sprint	918280746-02	Streets Cell Phone	05/29/2016	143.22	.00		
4880	Sprint	918280746-02	Water Cell Phone	05/29/2016	100.67	.00		
4880	Sprint	918280746-02	HPD Cell Phone	05/29/2016	321.36	.00		
4880	Sprint	918280746-02	Recreation Cell Phone	05/29/2016	52.03	.00		
4880	Sprint	918280746-02	Public Works Tablet	05/29/2016	19.00	.00		
4880	Sprint	918280746-02	Public Works Tablet	05/29/2016	18.99	.00		
Total 4880:					738.48	.00		
3530	Steamboat Pilot	10427300	McCarty Annexation zoning public	05/29/2016	409.72	.00		
3530	Steamboat Pilot	10427304	McCarty Annexation legal descript	05/29/2016	1,092.60	.00		
3530	Steamboat Pilot	10427314	McCarty Annexation resolution 20	05/29/2016	434.56	.00		
3530	Steamboat Pilot	10427315	McCarty Annexation zoning public	05/08/2016	91.56	.00		
3530	Steamboat Pilot	10428198	Bayou Breeze	05/22/2016	58.97	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
3530	Steamboat Pilot	10428202	Roult County RV Park	05/22/2016	17.92	.00		
	Total 3530:				2,105.33	.00		
12210	Stephens Publishing Co	23955	PD - Flashing Safety Lights	03/31/2016	378.00	.00		
	Total 12210:				378.00	.00		
3710	Town of Hayden	05312016	15.01 Shop utilities	05/31/2016	66.95	.00		
3710	Town of Hayden	05312016	92.01 Rec water 20%	05/31/2016	14.79	.00		
3710	Town of Hayden	05312016	92.01 Town Hall water 80%	05/31/2016	59.17	.00		
3710	Town of Hayden	05312016	94.01 Shop water	05/31/2016	125.50	.00		
3710	Town of Hayden	05312016	96.01 New Ballfield water	05/31/2016	37.58	.00		
3710	Town of Hayden	05312016	231.01 3rd St park water	05/31/2016	54.74	.00		
3710	Town of Hayden	05312016	232.01 Water plant water	05/31/2016	54.83	.00		
3710	Town of Hayden	05312016	355.01 Sewer plant water	05/31/2016	45.08	.00		
3710	Town of Hayden	05312016	534.01 Chestnut St park	05/31/2016	54.00	.00		
3710	Town of Hayden	05312016	761.01 Baseball field water	05/31/2016	37.58	.00		
3710	Town of Hayden	05312016	1208.01 Poplar St park water	05/31/2016	37.58	.00		
3710	Town of Hayden	05312016	2035.01 PD water	05/31/2016	61.39	.00		
3710	Town of Hayden	05312016	2036.01 Poplar St park water	05/31/2016	88.30	.00		
3710	Town of Hayden	05312016	2044.01 Vista Verde park water	05/31/2016	37.58	.00		
3710	Town of Hayden	05312016	2046.01 Lake View Rd park water	05/31/2016	37.58	.00		
3710	Town of Hayden	05312016	2066.01 RV Dump water	05/31/2016	72.55	.00		
	Total 3710:				885.20	.00		
6540	Tri County Fire Protection	142226	Backflow Prevention Testing	06/02/2016	580.00	.00		
	Total 6540:				580.00	.00		
7070	USA BlueBook	955226	WTP - Mag Drive Pump	05/17/2016	1,089.38	.00		
	Total 7070:				1,089.38	.00		
8740	Visa	MAY2016	Crown Awards - Cog Run	06/02/2016	45.99	.00		
8740	Visa	MAY2016	Carquest Parks vehicle maint - cr	06/02/2016	12.00	.00		
8740	Visa	MAY2016	Johnson notary registration fee	06/02/2016	10.00	.00		
8740	Visa	MAY2016	Postage	06/02/2016	2.64	.00		
8740	Visa	MAY2016	Town mgr recruitment	06/02/2016	22.90	.00		
8740	Visa	MAY2016	Johnson notary supply	06/02/2016	74.25	.00		
8740	Visa	MAY2016	Water - supplies	06/02/2016	22.21	.00		
8740	Visa	MAY2016	Admin - supplies	06/02/2016	5.58	.00		
8740	Visa	MAY2016	Deposit stamp	06/02/2016	14.33	.00		
8740	Visa	MAY2016	Business cards	06/02/2016	23.63	.00		
8740	Visa	MAY2016	Postage	06/02/2016	50.00	.00		
8740	Visa	MAY2016	Postage	06/02/2016	50.00	.00		
8740	Visa	MAY2016	Postage	06/02/2016	15.99	.00		
8740	Visa	MAY2016	Office re-key	06/02/2016	209.90	.00		
8740	Visa	MAY2016	Carquest - Parks vehicle maint	06/02/2016	170.23	.00		
8740	Visa	MAY2016	Holiday Inn - Town mgr recruitme	06/02/2016	11.26	.00		
8740	Visa	MAY2016	PD Training	06/02/2016	38.35	.00		
8740	Visa	MAY2016	PD vehicle maint	06/02/2016	10.00	.00		
8740	Visa	MAY2016	PD dept meeting	06/02/2016	43.00	.00		
8740	Visa	MAY2016	Holiday Inn - Town mgr recruitme	06/02/2016	278.26	.00		
8740	Visa	MAY2016	Holiday Inn - Town mgr recruitme	06/02/2016	178.00	.00		
8740	Visa	MAY2016	PD Ttravel expense	06/02/2016	19.62	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
8740	Visa	MAY2016	PD general expense	06/02/2016	53.55	.00		
8740	Visa	MAY2016	PD travel - meal	06/02/2016	24.97	.00		
8740	Visa	MAY2016	PD Training - meal	06/02/2016	35.32	.00		
8740	Visa	MAY2016	Postage	06/02/2016	2.45	.00		
8740	Visa	MAY2016	Public Works - supply	06/02/2016	21.60	.00		
8740	Visa	MAY2016	PIO Training	06/02/2016	62.00	.00		
8740	Visa	MAY2016	PD building - supplies	06/02/2016	67.58	.00		
8740	Visa	MAY2016	PD Supplies	06/02/2016	34.50	.00		
8740	Visa	MAY2016	Meeting w/planner	06/02/2016	39.00	.00		
8740	Visa	MAY2016	WTP R&M	06/02/2016	165.77	.00		
8740	Visa	MAY2016	Vehicle registration	06/02/2016	827.26	.00		
8740	Visa	MAY2016	Town manager recruitment	06/02/2016	89.00	.00		
8740	Visa	MAY2016	PD department meeting	06/02/2016	55.00	.00		
Total 8740:					2,739.62	.00		
3880	Wagner Equipment Co	P04C0289487	Streets R&M - Parts	05/19/2016	159.49	.00		
3880	Wagner Equipment Co	P04C0289488	Streets R&M - Parts	05/19/2016	17.00	.00		
3880	Wagner Equipment Co	P04C0289643	Streets R&M - Parts	05/26/2016	342.98	.00		
3880	Wagner Equipment Co	P04R0117583	Credit	05/19/2016	25.74-	.00		
3880	Wagner Equipment Co	S04W0779106	Repair turbocharger	05/25/2016	1,559.87	.00		
Total 3880:					2,053.60	.00		
9960	Warning, Tanya	JUNE2016	Janitorial Services	06/02/2016	425.00	.00		
Total 9960:					425.00	.00		
10600	Waste Management-SBS #001-85	MAY2016	Residential Trash Service	06/01/2016	11,828.11	.00		
Total 10600:					11,828.11	.00		
6130	Western Security Systems Inc	100446	Replaced interrogation room DVR	05/17/2016	660.00	.00		
6130	Western Security Systems Inc	101013	Alarm Monitoring 7/1-9/30/16	06/01/2016	90.00	.00		
Total 6130:					750.00	.00		
12167	WEX Bank	45625996	Parks Equipment Expense - Fuel	05/31/2016	25.42	.00		
12167	WEX Bank	45625996	PD Vehicle Expense - Fuel	05/31/2016	438.54	.00		
Total 12167:					463.96	.00		
4010	Yampa Valley Electric	1802MAY16	Street lights electric 1510001802	05/27/2016	1,975.43	.00		
Total 4010:					1,975.43	.00		
4245	Zirkel Wireless, LLC	131165	Internet Service Acct 4377	05/25/2016	79.00	.00		
4245	Zirkel Wireless, LLC	131166	Internet Service Acct 4378	05/25/2016	46.00	.00		
Total 4245:					125.00	.00		
Grand Totals:					107,787.55	.00		



Town of Hayden

Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Wolf Mountain Pizza Liquor License Renewal

AGENDA SECTION: Consent Items

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: Wolf Mountain Pizza's Liquor License will expire on August 2, 2016. Approving this renewal would extend the license until August 2, 2017. A compliance inspection has been performed on the establishment and all legal requirements have been met.

RECOMMENDATION: **Move to approve the Consent Items.**

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation*

RETAIL LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

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

WOLF MOUNTAIN PIZZA & RESTAURANT
 PO BOX 68
 HAYDEN CO 81639

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 C-BRB LLC		DBA WOLF MOUNTAIN PIZZA & RESTAURANT		
Liquor License # 15142160000	License Type Hotel & Restaurant (city)	Sales Tax License # 15142160000	Expiration Date 08/02/2016	Due Date 06/18/2016
Operating Manager	Date of Birth	Home Address		
Manager Phone Number		Email Address caepp@hotmail.com		
Street Address 107 W JEFFERSON AVE HAYDEN CO 81639-9900				Phone Number 9702763363
Mailing Address PO BOX 68 HAYDEN CO 81639				

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 Month to Month
162. Since the date of filing of the last 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 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 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

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 Christine Epp	Title CFO
Signature Christine Epp	Date 6/6/16

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



Town of Hayden

Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Hayden Daze Parade Street Closure

AGENDA SECTION: Consent Items

PRESENTED BY: Jill Delay/Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: Hayden Parks and Recreation is applying for the annual Hayden Daze Parade and Street Closure. This event is scheduled for July 16, 2016 beginning at 9:30 a.m. The parade will begin at 10:30 a.m. on South 3rd Street and will run north onto Jefferson Avenue and east to Spruce Street. Traffic will be detoured via North 4th Street and North Aspen Street and then on to Lincoln Avenue in both directions. The theme of the Hayden Daze Parade will be focused on Hayden Daze, Hayden Heritage Center Journeys and more.

RECOMMENDATIONS: **Move to approve the Consent Items.**

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation.*



APPLICATION FOR PARADE/STREET CLOSURE

Date of Request	June 8, 2016	
Name of Event	Hayden Daze Parade	
Type of Event	Athletic <input type="checkbox"/>	Special <input checked="" type="checkbox"/>
Brief Description of Event	Annual Hayden Daze Parade will be similar to the 2015 Event	

Organization Information (please print or type):

Name	Hayden Parks and Recreation
Mailing Address	PO Box 190
City	Hayden
State	CO
ZIP Code	81639
Contact Person	Jill Delay
Title	Recreation Coordinator
Telephone	970-734-4168
Fax	970-276-3644
E-Mail	jill.delay@haydencolorado.org

Description of Event (please print or type):

Dates July 18, 2015	Beginning Date & Time: 7/16/16 9:30am	Ending Date & Time: 7/16/16 11:30am
Location of Line Up	<p>Entrants can funnel in from the west on 5th Street, South on 3rd St. and North and East by taking the detour route west on Lincoln Ave., to south on 4th Street.</p> <p>Line up will run 3rd Street in front of the Hayden High School with entries channeled in from 3rd, 4th, and 5th Streets.</p>	
Proposed Route (Attach map)	<p>Parade Begins at the intersection of 3rd Street and Highway 40 at 10:30am. One Block of 3rd, 4th, & 5th Streets will be blocked of for parade lineup on Saturday from 9:30am to 10:30am. Parade entrants will travel north on 3rd Street, turn right on Jefferson Ave.(aka Highway 40), continue on Jefferson Ave. to Walnut Street. Turn right on Walnut Street to finish the parade. Return to the Hayden Town Park by following Walnut Street south. Take a right on Washington Ave., then left on Poplar Street. Turn right on Breeze Basin Blvd. and another immediate right on 3rd Street past the Hayden Town Park to Hayden High School Parking Area. (See attached map)</p>	
Proposed Detour (Attach map)	<p>Detour will be Highway 40 East bound, north on 5th St., East on Lincoln Ave., South on Aspen St., East on Highway. West bound traffic will be opposite. (See attached map)</p>	
Detailed Description of Event	<p>Parade will include all approved entries submitted to HPR.</p>	

THE UNDERSIGNED HEREBY AGREES TO PAY FOR AND PROVIDE LIABILITY INSURANCE IN AN AMOUNT TO BE DETERMINED BY THE TOWN OF HAYDEN. THE UNDERSIGNED ALSO AGREES TO PROVIDE MANPOWER TO PLACE AND REMOVE THE BARRICADES (TOWN PROVIDED) AT THE DIRECTION OF THE HAYDEN POLICE DEPARTMENT.

I, THE UNDERSIGNED, FURTHER CERTIFY THAT THE STATEMENTS CONTAINED HEREIN OR ATTACHED HERETO ARE TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Authorized signature		Date: 6-8-16
----------------------	--	--------------

FOR OFFICIAL USE ONLY (DO NOT WRITE BELOW THIS LINE)

Conditions or Restrictions:

SPONSORS AND/OR EVENT ORGANIZERS MUST FURNISH A CERTIFICATE OF INSURANCE OF A GENERAL LIABILITY INSURANCE COMPANY AND AN AUTO LIABILITY INSURANCE POLICY COVERING CLAIMS THAT MIGHT ARISE FROM THE EVENT, INCLUDING PARTICIPANT AND SPECTATOR LIABILITY. THESE POLICIES MUST HAVE A MINIMUM LIMIT OF \$ _____ PER OCCURRENCE AND MUST NAME THE TOWN OF HAYDEN AND ITS EMPLOYEES AS ADDITIONAL INSUREDS.

Authorized signature		Date:
Application has been:	Approved <input type="checkbox"/>	Denied <input type="checkbox"/>



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Recommendation to approve Hayden Daze Special Events Permit for July 15-16, 2016

AGENDA SECTION: Consent

PRESENTED BY: Jill Delay

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: The Hayden Parks and Recreation Department has submitted an application for a Special Events Permit to allow malt, vinous and spirituous liquor sales at the Hayden Daze events. The event will be open to the public and will involve two days of liquor sales. The first is the street dance on Friday, July 15th from 5:00 p.m. to 12:00 a.m. and the second is the entertainment events on Saturday, July 16th, from 9:00a.m to 7pm.

RECOMMENDATION: Move to approve the Hayden Parks and Recreation application for a Special Events Permit for Hayden Daze July 15th and 16th.

MANAGER'S RECOMMENDATION/COMMENTS: I concur with this permit and recommend that the Town Council approve the Special Events Permits.



June 8, 2016

Colorado Department of Revenue
Liquor Enforcement Division
1375 Sherman St.
Denver, CO 80261
303-205-2300

Town of Hayden
Parks and Recreation
Attn: David Torgler
178 West Jefferson Ave.
PO Box 190
Hayden, CO 81639

RE: Special Events Permit, Liquor License

To Whom It May Concern:

We, the town of Hayden, as the governing body give our permission for Hayden Parks and Recreation to use the Dry Creek Park located at 513 S. Poplar Street, Hayden, CO 81639 for our annual Hayden Daze Special Event. We concur with the liquor license times and dates for this event in the attached permit application.

Thank you,

Jim Haskins
Mayor
Town of Hayden

178 West Jefferson Avenue ~ P.O. Box 190 Hayden, CO 81639
(970) 276-3741 ~ (970) 276-3644

APPLICATION FOR A SPECIAL EVENTS PERMIT

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- SOCIAL
- ATHLETIC
- PHILANTHROPIC INSTITUTION
- FRATERNAL
- CHARTERED BRANCH, LODGE OR CHAPTER
- POLITICAL CANDIDATE
- PATRIOTIC
- OF A NATIONAL ORGANIZATION OR SOCIETY
- MUNICIPALITY OWNING ARTS FACILITIES
- POLITICAL
- RELIGIOUS INSTITUTION

Department Use Only

<p>LAB</p> <p><input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITIOUS LIQUOR \$25.00 PER DAY</p> <p><input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY</p>	<p>TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:</p> <p>LIQUOR PERMIT NUMBER</p>
--	--

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE: Team of Hyde Park & Regents

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE: PO Box 190, Hyde Park, CO 81635

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT: 513 S. Poplar St., Hyde Park, CO 81635

State Sales Tax Number (Required): 9802607

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE: Frank East

5. EVENT MANAGER: Till Dehn

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? NO HOW MANY DAYS? 1

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? NO TO WHOM? Hyde Park, CO 81635

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT:

Date	Hours From	Hours To	Date	Hours From	Hours To
July 15, 2016	5:00 p.m.	12:00 a.m.	July 16, 2016	9:00 a.m.	7:00 p.m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE: [Signature] TITLE: Regents DATE: 7-8-16

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended. THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY): _____ TELEPHONE NUMBER OF CITY/COUNTY CLERK: _____

CITY COUNTY

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

SIGNATURE: _____ TITLE: _____ DATE: _____

LIABILITY INFORMATION

License Account Number: _____

Liability Date: _____

State: _____

TOTAL \$ -750 (999)

(Instructions on Reverse Side)

APPLICATION INFORMATION AND CHECKLIST

THE FOLLOWING SUPPORTING DOCUMENTS MUST BE ATTACHED TO THIS APPLICATION FOR A PERMIT TO BE ISSUED:

- Appropriate fee.
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions.

Note: If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.

- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; or
- If not incorporated, a NONPROFIT charter; or
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- APPLICATION MUST FIRST BE SUBMITTED TO THE LOCAL LICENSING AUTHORITY (CITY OR COUNTY) AT LEAST THIRTY (30) DAYS PRIOR TO THE EVENT.
- THE PREMISES TO BE LICENSED MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE A HEARING CAN BE HELD. (12-48-106 C.R.S.)
- AN APPROVED APPLICATION MUST BE RECEIVED BY THE LIQUOR ENFORCEMENT DIVISION AT LEAST TEN (10) DAYS PRIOR TO THE EVENT.
- CHECK PAYABLE TO THE COLORADO DEPARTMENT OF REVENUE

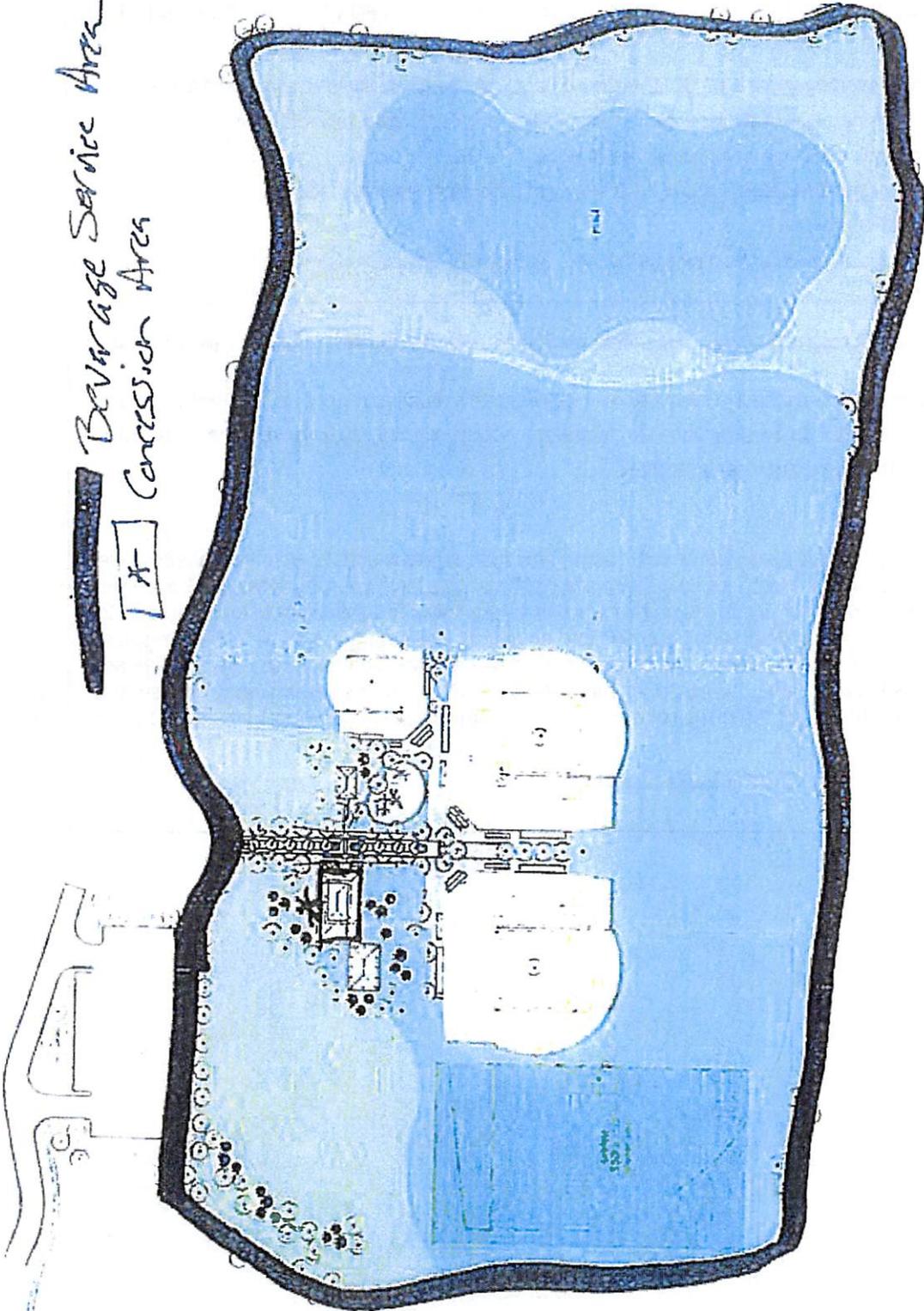
(12-48-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 46 and 47 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

If an event is cancelled, the application fees and the day(s) are forfeited.

Beverage Service Area

Concession Area



WARRANTY DEED

THIS DEED MADE 19th day of June 2000 by and between WESLEY E. SIGNS

of the County of ROUTE and State of COLORADO of the one part and TOWN OF HAYDEN

whose legal address is P.O. BOX 150 HAYDEN, CO 81638

of the said County of ROUTE and State of COLORADO of the other part

WITNESSETH That the grantor for and on behalf of the sum of ONE HUNDRED FORTY-FOUR THOUSAND & 00/100 DOLLARS the receipt and sufficiency of which is hereby acknowledged has granted bargained sold delivered and by these presents does grant bargain sell convey and confirm unto the grantee his heirs and assigns forever all the real property together with improvements thereon situate lying and being in the said County of ROUTE and State of COLORADO and described as follows:

SEE EXHIBIT "A"

1. Description of land conveyed

TOGETHER with all and singular the hereunto and hereunto annexed or in anywise coming and thereafter to come, together with all and singular the hereunto and hereunto annexed or in anywise coming and thereafter to come of the grantor in the full and entire right of his own estate, together with the interest therein and demand and title of the grantor in the full and entire right of his own estate with the hereditaments and appurtenances

TO HAVE AND TO HOLD the said premises above bargained sold delivered and confirmed with the appurtenances unto the grantee his heirs and assigns forever. And the grantor for himself his heirs and personal representatives does covenant grant bargain and agree and will to the grantee his heirs and assigns that the title of the premises and delivery of the premises shall be to the grantee his heirs and assigns forever and indefeasible save of course in law or fact simple and the grantor shall give full power and authority to grant bargain sell and convey the same in name and form as aforesaid and that the title shall be free and clear from all and all the grantor's debts and liabilities and from all and every other kind or nature of encumbrance except those specific Exceptions shown on the attached as "EXHIBIT 1B".

The grantor and the WARRANTY AND FOREVER DEFENSE shall be bargained promised and delivered to the grantee his heirs and assigns forever and indefeasible save of course in law or fact simple and the grantor shall give full power and authority to grant bargain sell and convey the same in name and form as aforesaid and that the title shall be free and clear from all and all the grantor's debts and liabilities and from all and every other kind or nature of encumbrance except those specific Exceptions shown on the attached as "EXHIBIT 1B".

IN WITNESS WHEREOF, the grantor has executed this deed in the presence of the undersigned

Wesley E. Signs
WESLEY E. SIGNS

State of COLORADO

County of ROUTE

This foregoing instrument was acknowledged before me on 19th day of June 2000 by WESLEY E. SIGNS

My commission expires

Notary Public for the State of Colorado

Handwritten signature and date: 27 1999

EXHIBIT "A"

1

TOWN OF HAYDEN

A tract of land located in the SW1/4 SW1/4 Section 10 and in the SE1/4 SE1/4 Section 9, all T6N R88W, 6th P.M., Routt County, Colorado, and in portions of Blocks 53 and 54, and in portions of vacated First Street, vacated Second Street, and vacated Grant Avenue, all West Hayden Townsite Addition to the Town of Hayden, Routt County, Colorado, more particularly described as follows: Beginning at a point on the East line of said Section 9, from which the Southeast corner thereof bears S00-00°00"E a distance of 324.61', thence N77-52'33"W a distance of 408.49', thence S72-02°50"W a distance of 131.35', thence N79-28°35"W a distance of 204.87', thence S33-38°08"W a distance of 69.10', thence S85-53°27"W a distance of 1.77' to a point on the East line of First Street, being the East line of the City Limits of Hayden, thence S85-53°27"W a distance of 320.83' to a point on the East line of Lot 'D', McCarty-Pero Subdivision, as recorded in the Routt County Records at file No. 11751, thence N10-23°16"E along the East line of said Lot 'D' a distance of 159.70' to a rebar and cap PLS #4219, being the East angle point of Lot 'D', thence continuing along the East line of Lot 'D', N18-47°37"E a distance of 225.84' to a rebar and cap PLS #4219, being the Northeast corner of Lot 'D', thence N00-19°30"W along the East line of Lot 'C', McCarty-Pero Subdivision a distance of 39.40', thence S88-41°32"E a distance of 366.34' to a point on the East line of First Street and the East line of the City limits of Hayden, thence N00-18°34"E along said East line for distance of 338.88' to a point on the South line of a tract of land described a Book 755 Page 830 as recorded at the Routt County Clerk and Records office, thence S88-23°59"E along said South line for a distance of 156.62', thence continuing along said South line, S88-58°35"E a distance of 201.85', thence along said South line, S86-13°15"E a distance of 404.43' to a point on the East line of said Section 9, being located N00-00°00"W a distance of 1032.85' from the Southeast corner thereof, thence continuing along said South line S86-13°15"E a distance of 309.49' to the Southeast corner of said tract at Book 755 Page 830, thence S04-06°02"E a distance of 646.62', thence S81-24°52"W a distance of 329.43', thence N77-52'33"W a distance of 29.98' to the POINT OF BEGINNING, containing 20.00 acres, more or less.

BASIS OF BEARING-The monumented East line of the SE1/4 of



540961 02/21/2001 03:15P Kay Weinland
1 of 3 R 15.00 D 6.47 Routt County, CO

P.03

WARRANTY DEED

THIS DEED, Made this ___ day of February, 2001 between *WESLEY E. SIGNS and LINDA L. SIGNS*, of the County of Routt and State of Colorado, Grantors, and *THE TOWN OF HAYDEN*, a Colorado municipal corporation, P.O. 190, Hayden, CO 81639, Grantee, of the County of Routt and State of Colorado.

WITNESSETH, That the Grantors, for and in consideration of the sum of Eighty-Four Thousand Seven Hundred and No/100 Dollars, (\$84,700.00), the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Routt and State of Colorado, described in Exhibit A attached hereto.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the Grantors, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee, its successors and assigns forever. The Grantors, for themselves, their heirs and personal representatives or successors do covenant, grant, bargain and agree to and with the grantee, its successors and assigns that at the time of the ensueing and delivery of these presents, they are well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except those specific Exceptions shown on the attached as "Exhibit 1".

The Grantors shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, The Grantors have executed this deed on the date set forth above:

Wesley E. Signs
WESLEY E. SIGNS

Linda L. Signs
LINDA L. SIGNS

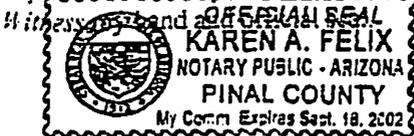
STATE OF ARIZONA

County of PINAL

ss

The foregoing instrument was acknowledged before me this 14th day of February, 2001, by Wesley E. Signs and Linda L. Signs

My commission expires SEPT. 18, 2002



Karen A. Felix
Notary Public

DEMLING LAND SURVEYORS
P.O. BOX 954
HAYDEN, COLORADO 81439
(970) 276-3613
FAX 276-4595

TOWN OF HAYDEN

JANUARY 31, 2000

POOR PRINT QUALITY
FOR SCANNING

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE 1/4 SE 1/4 SECTION 9, T6N R68W, 6TH P.15, ROUTT COUNTY, COLORADO, AND BEING LOCATED IN PORTIONS OF BLOCKS 53 AND 36, PORTIONS OF VACATED FIRST STREET, VACATED GARFIELD AVENUE, AND VACATED CLEVELAND AVENUE, OF WEST HAYDEN TOWNSHIP, HAYDEN, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOT 'C', MCCARTY-PERO SUBDIVISION, TOWN OF HAYDEN, RECORDED AT FILE NO. 11 OF THE RECORDS OF ROUTT COUNTY, SAID POINT BEING N00-00'30"W A DISTANCE OF 39.40' FROM THE SOUTHEAST CORNER OF SAID LOT 'C', AND BEING N56-53'17"W A DISTANCE OF 1349.08' FROM THE SOUTHEAST CORNER OF SAID SECTION 9, THENCE N00-19'30"W ALONG THE EAST LINE OF SAID MCCARTY-PERO SUBDIVISION A DISTANCE OF 342.02' TO A POINT BEING THE SOUTHWESTERLY CORNER OF A TRACT OF LAND AN ACCESS EASEMENT RECORDED AT BOOK 703 PAGE 830 OF THE ROUTT COUNTY RECORDS, SAID POINT BEING LOCATED S00-19'30"E A DISTANCE OF 48.09' FROM THE NORTHEAST CORNER OF LOT 'A', MCCARTY-PERO SUBDIVISION, THENCE S86-44'50"E ALONG THE SOUTH LINE OF SAID TRACT AT BOOK 755 PAGE 830, A DISTANCE OF 74.09', THENCE CONTINUING ALONG SAID SOUTH LINE S88-41'26"E A DISTANCE OF 203.11', THENCE ALONG SAID SOUTH LINE S88-23'59"E A DISTANCE OF 91.02' TO A POINT ON THE E LINE OF FIRST STREET, AND ON THE EAST LINE OF THE CITY LIMITS OF THE TOWN OF HAYDEN, THENCE S00-18'34"W ALONG THE EAST LINE OF FIRST STREET AND THE EAST LINE OF THE CITY LIMITS A DISTANCE OF 338.88', THENCE N88-41'32"W A DISTANCE OF 366.34' TO THE POINT OF BEGINNING,

BASIS OF BEARINGS - THE MONUMENTED EAST LINE OF THE SE 1/4 OF SECTION 9, 24 ENDS BEING GLG BRASS CAPS, N00-00'00"E (NORTH)



EXHIBIT 1

FOUR PRINT QUALITY
FOR SCANNING

- 1 Unpatented mining claims, reservations or exceptions in patents, or an act authorizing the issuance of thereof, water rights, claims or title to water.
- 2 Real property taxes, assessments and charges for 2001, payable in 2002 and subsequent years.
- 3 A condition contained in the United States Patent recorded NOVEMBER 7, 1891, Book 6 at Page 372, Routt County Records, which states as follows:

"Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts."

4 Right of the Proprietor of a Vein of Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as reserved in United States Patent recorded NOVEMBER 7, 1891 in Book 6 at Page 372.
- 5 An easement for RIGHT OF WAY and incidental purposes as granted to WESTERN SLOPE GAS COMPANY by an instrument recorded JUNE 23, 1978 in Book 454 at Page 54 upon the terms and conditions therein set forth. (Refer to document for full particulars)
- 6 Terms, conditions, provisions, restrictions, stipulations and obligations as contained in ORDINANCE NO. 382 REGARDING VACATIONS recorded JANUARY 3, 1992 in Book 669 at Page 1007. (Refer to document for full particulars)
- 7 An easement for RIGHT OF WAY and incidental purposes as granted to TOWN OF HAYDEN by an instrument recorded JANUARY 3, 1992 in Book 669 at Page 1011 upon the terms and conditions therein set forth. (Refer to document for full particulars)
- 8 Terms, conditions, provisions, restrictions, stipulations and obligations as contained in GIFT CLAIM DEEDS BETWEEN ROUTT COUNTY AND WESLEY E. SIGNS recorded JULY 9, 1998 in Book 748 at Pages 511 and 512. (Refer to document for full particulars)
- 9 AN EASEMENT FOR RIGHT OF WAY AND INCIDENTAL purposes as granted to YAMPA VALLEY ELECTRIC ASSOCIATION, INC., by an instrument recorded MARCH 7, 1996 in Book 711 at Page 275 upon the terms and conditions therein set forth. (Refer to document for full particulars)
- 10 Terms, conditions, provisions, restrictions, stipulations and obligations as contained in WARRANTY DEED BETWEEN 31 ELBY E. SIGNS AND ROUTT COUNTY recorded

540961 02/21/2001 03:15P Kay Weiland
3 of 3 R 15.00 D 8.47 Routt County, CO



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: 2nd READING OF ORDINANCE NO. 672: regarding, McCarty 2nd Annexation

AGENDA SECTION: New Business, with Public Hearing

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULE: Not Recommended

BACKGROUND REVIEW:

The applicant has submitted an annexation request for 0.76 acres of land currently unincorporated and surrounded by the Town of Hayden. The property is located on the east side of South 1st Street, approximately 475 feet north of South Poplar Street. The applicant wishes to annex the property into the Town of Hayden to receive access to the Town's water and sanitary sewer services in anticipation of future development of a single family dwelling unit.

The McCarty's were granted incorporation of 0.94 acres of land into the Town of Hayden with a prior 2012 annexation request which was codified by Ordinance No. 651. The 0.94 acre request was located east of the current subject property, having frontage on West Jackson Avenue and South Poplar Street and was granted an RLD zoning district classification with Ordinance No. 652.

On May 5, 2016, the Town Council determined the new 2016 Petition for Annexation regarding the subject property was in "substantial compliance" with the State and began the decision-making process and sequencing for this annexation request.

On June 2, 2016, the Town Council considered a 1st Reading of Annexation Ordinance No. 672 and determined the Ordinance was in final form to be considered for a 2nd Reading with a Public Hearing. No project changes were made from the Town Council's 1st Reading.

RECOMMENDATION:

Based on observations and findings as stated in the Staff Report and presented to the Hayden Planning Commission on May 26, 2016; the Commission recommends approval to the Town Council for the McCarty 2nd Annexation request as it is in compliance with the Town Land Use Code and Comprehensive Plan.

The Town Council may choose to take the following actions after the Public Hearing:

1. Approve as submitted and adopt Ordinance No. 672.

2. Approve subject to conditions.
3. Deny the project.
4. Postpone consideration to a date certain.

Attachments

Planning Commission Staff Report

Annexation Map

Annexation Concept Plan

Zoning Map

Resolution 2016-14 & Annexation Petition

Ordinance No. 672

MANAGER'S RECOMMENDATION/COMMENTS: I concur with the recommendations of staff and the Planning Commission. I would recommend that the Town Council approve the annexation of McCarty 2nd Annexation.



Town of Hayden

Planning Commission

Staff Report

Project: McCarty's 2nd Annexation to the Town of Hayden

Address: 385 W Jackson Avenue

Applicant: Mr. Terry McCarty

Prepared by: Ross Culbertson, Hayden Consulting Planner

Hearing Date: May 26, 2016

Background

The applicant has submitted an annexation request for 0.76 acres of land currently unincorporated and surrounded by the Town of Hayden. The property is located on the east side of South 1st Street, approximately 475 feet north of South Popular Street. The applicant wishes to annex the property into the Town of Hayden to receive access to the Town's water and sanitary sewer services in anticipation of future development of a single family dwelling unit. In conjunction with the annexation application, the applicant is requesting the property be placed in the Residential Low Density (RLD) zoning district to comply with zoning regulations.

The McCarty's were granted incorporation of 0.94 acres of land into the Town of Hayden with a prior 2012 annexation request which was codified by Ordinance No. 651. The 0.94 acre request was located east of the current subject property, having frontage on West Jackson Avenue and South Poplar Street and was granted an RLD zoning district classification with Ordinance No. 652.

At their regular meeting of May 5, 2016, the Town Council determined the 2016 Petition for Annexation regarding the subject property was in "substantial compliance" with the State Statutes. With the findings, the Town Council began the review and decision-making process for annexation and now seeks input from the Planning Commission with a forwarding recommendation.

Staff Analysis

Annexation

The proposed 2nd McCarty Annexation request for 0.76 acres is to incorporate an enclave piece of land which is surrounded by adjacent properties already served with public utilities, fire and police protection, and snow plowing services from the Town of Hayden; in addition to being incorporated

within the Town's school district. The subject property is generally depicted by the "Annexation Map" which shows a rectangular shaped property boundary that has frontage on South 1st Street. The land is vacant and contains a small wooden shed/barn that will be removed at the time of development. The land also contains a small portion of Shelton Ditch located at the northwest corner of the property which does not limit the owner's developable area. Utility services are located within South 1st Street and loop north and east of the subject site to connecting lines within the West Jackson Avenue right-of-way. Should the owners wish to subdivide the property from one contiguous lot into two lots for placement of more than one dwelling unit on the property, the Town would require street improvements meeting minimum lot frontage requirements by either extending South 1st Street to West Washington Avenue or connecting West Jackson Avenue to West Washington Avenue.

The annexation request meets all determining provisions within the Three-Mile Boundary Plan and the Comprehensive Plan and has been found to meet the contiguity regulations per the Colorado State Statutes. Approval of the annexation request would rectify and enclose the Hayden Town Limits around the "donut-hole" remainder of unincorporated land which for all practical purposes would be better served as added property within the Town's boundary.

Zoning

The applicant requests the property be zoned to a Residential Low Density (RLD) zoning district to be compatible with adjacent land uses and with similarly zoned adjacent property owned by the applicant. The RLD district's intent is to *build a transitional residential area of single family units on single lots with a mixture of lot sizes and building types*. Annexation requests require the applicant to bring the property into full compliance with town ordinances which includes correctly zoning the property for anticipated development. The surrounding land uses and corresponding zoning districts to the subject property include:

- North:** Property to the north is zoned Open District (O) and is owned by the Town of Hayden as future parcel area for Washington Avenue. The property is vacant.
- South:** Property to the south is zoned Open District (O) and contains a mobile home used for residential purposes.
- East:** Property to the east is zoned Residential Low Density (RLD) and is comprised of four parcels of land owned by the applicant having separate single family structures used for residential purposes.
- West:** Property to the west is zoned Residential Low Density (RLD) and contains the right-of-way for 1st Street with adjacent single family lots used for residential purposes.

Comprehensive Plan

Pursuant to the Future Land Use Map within the 2007 Amendment to the Hayden Comprehensive Plan, the subject property is designated as a Medium Density Residential (MDR) land use category. The MDR category is intended to support a higher range of residential density of six to eight units per acre which may include duplexes, townhomes and multi-family units. Since the adoption of the 2007 Comprehensive Plan Amendments, the surrounding land uses and residential neighborhood context have not developed or redeveloped to the level of intensity outlined by the Future Land Use Map. It is reasonable to suggest the continuation of a Low Density Residential (LDR) pattern for the subject

property and for properties between 1st Street and South Poplar Street until such time market forces precipitate the need for higher density at this location. The annexation's zoning request is consistent with adjacent land uses in maintaining a low density residential pattern.

Compliance with Review Criteria

Annexation

Review requirements for an annexation application are found in Title 16, Article 13 of the Hayden Town Code. The subject property and application must follow the Annexation process outlined by the Town of Hayden and with Colorado Revised Statutes (C.R.S.) The applicant has provided staff the necessary documents to file the Petition for Annexation (per 16.13.070), the Annexation Agreement (per 16.13.080), the Annexation Map (per 16.13.090), and the Annexation Concept Plan Map (per 16.13.100).

Public Hearing Notice requirements for annexations are found in 16.01.170 and 16.13.060. The subject property and application must follow the Annexation process outlined by the Town of Hayden and with Colorado Revised Statutes (C.R.S.) for hearings, publications, mailed notices and sign postings as required. The applicant has coordinated with Planning Staff and the Town Clerk to meet all public hearing notice requirements.

Zoning

Review requirements for zoning applications of annexed territory are found in Title 16, Article 13.010.D of the Hayden Town Code. The listed zoning criteria states:

1. *Zoning of land during annexation may be done in accordance with the procedures and notice requirements of this Article. The proposed zoning ordinance shall not be passed before the date when the annexation ordinance is passed.*
2. *Any area annexed shall be brought under the provision of this Article and the map thereunder within ninety (90) days from the effective date of the annexation ordinance, despite any legal review that may be made challenging the annexation. During such ninety-day period, or such portion thereof as is required to zone the territory, the Town shall not issue a building permit for any portion, or all of, the newly annexed areas.*
3. *Unless zoned otherwise by action of the Council in compliance with this Code or provided otherwise on the Hayden Zoning Map in effect on October 6, 2005, all annexed property shall be considered zoned O-Open.*

The applicant's requested zoning to a Residential Low Density District (RLD) has been initiated within the proper annexation sequence, is compatible with surrounding properties, and is consistent with the goals and objectives of the Hayden Comprehensive Plan.

Referral Agency and Department Comments

The proposed annexation request was referred to the following agencies for a development review:

1. Planning Consultants – planning review of annexation and zoning application (including exhibits) are complete.
2. Public Works Department (incl. Water & Sewer) – review of annexation and zoning application are complete. Town services can be provided to the property.

3. Building Inspections Consultants – review of annexation and zoning application are complete. A more thorough review will be made at the time of platting or with future residential building permits.
4. Fire District - review of annexation and zoning application are complete.
5. Engineering Consultants - review of annexation and zoning application are complete. A more thorough review will be made at the time of platting or with future residential building permits.

Public Input

Annexation

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper regarding the annexation request to run for five consecutive weeks prior to the upcoming Town Council public hearing on June 16, 2016. No comments or concerns regarding the annexation request have been received by Planning Staff or the Town Clerk to date.

Zoning

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper at least 15 days prior to this Planning Commission public hearing date. No comments or concerns regarding the annexation's zoning request to an RLD district have been received by Planning Staff or the Town Clerk to date.

Staff Recommendation

Based on the above observations and findings of compliance with the Hayden Town Codes, staff recommends:

Approval of the annexation request as submitted.

Approval of the annexation's zoning request for a Residential Low Density (RLD) district as submitted.

Planning Commission Recommending Options

The Planning Commission may choose to:

1. Recommend to the Town Council approval as submitted.
2. Recommend to the Town Council approval subject to conditions.
3. Recommend to the Town Council project denial.
4. Table the item.
- 5.

Attachments

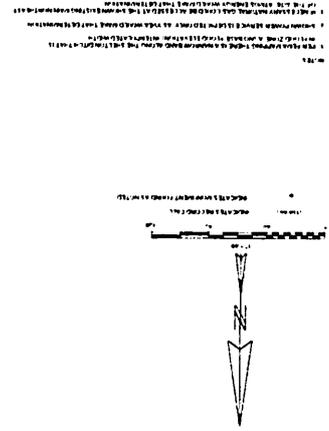
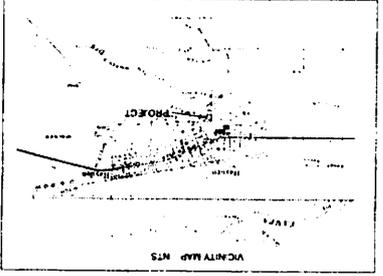
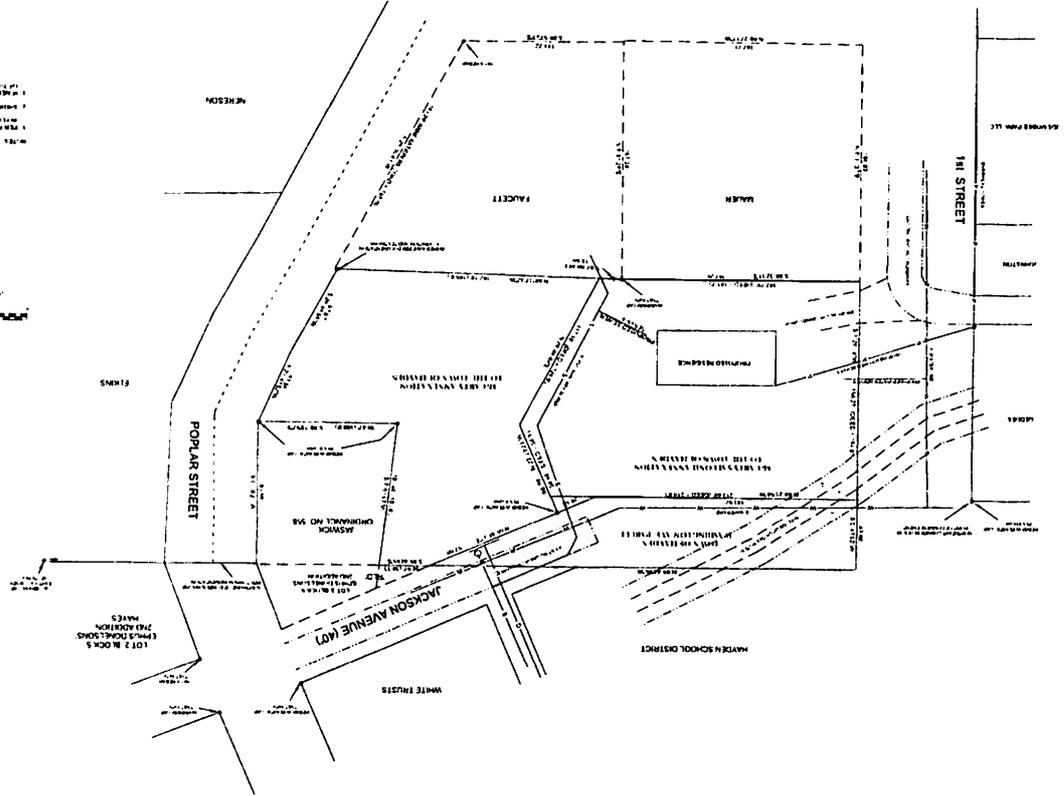
Annexation Map

Annexation Concept Plan

Zoning Map

Resolution 2016-14 & Annexation Petition

MCCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN CONCEPT PLAN PORTIONS OF THE NE1/4 SECTION 9 T6N R88W, 6th P.M., KOLLT COUNTY, COLORADO



NOTICE: ACCORDING TO COLORADO LAW, YOU MUST CONSULT THE LOCAL OFFICIALS OF THE COUNTY AND CITY OF HAYDEN TO DETERMINE THE CURRENT STATUS OF THE PROPERTY AND TO OBTAIN THE NECESSARY PERMITS AND APPROVALS. THE DATE OF CLEARING IS SHOWN IN THE PLAN.

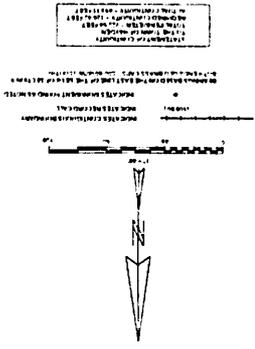
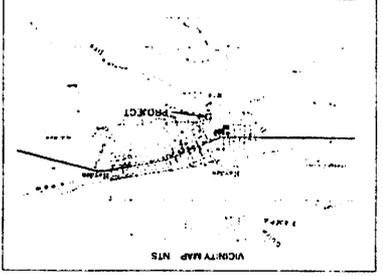
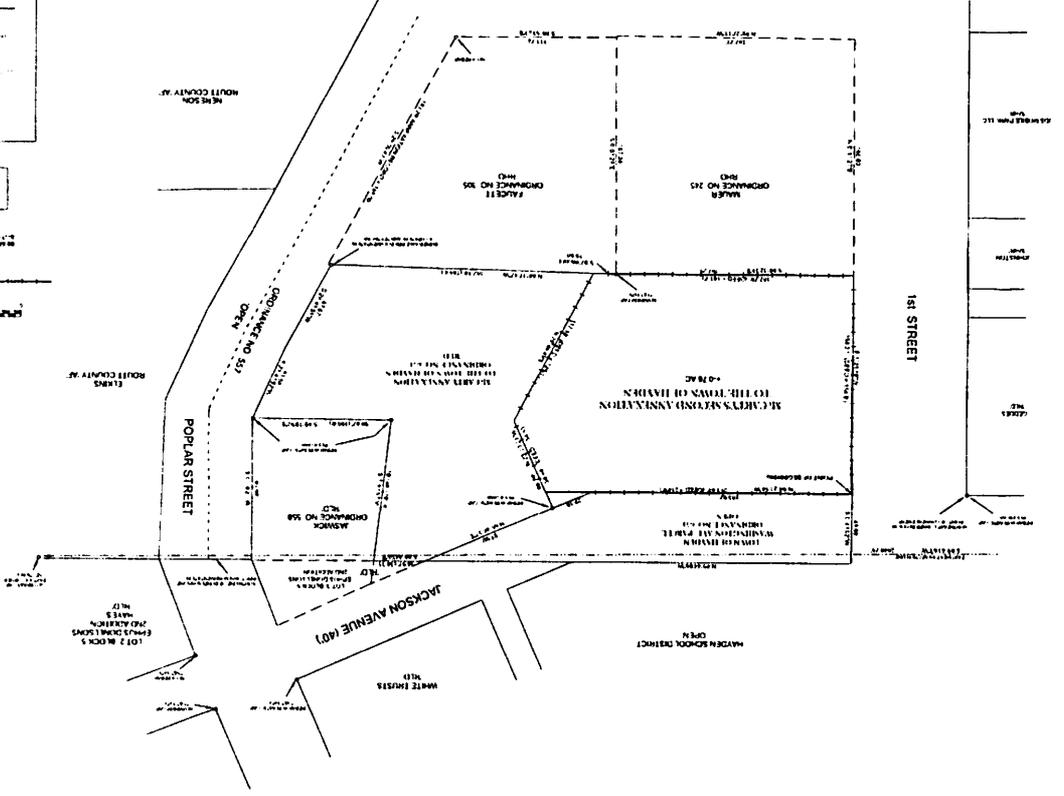
NO.	DATE	DESCRIPTION
1	10/1/2013	PRELIMINARY PLAN
2	10/1/2013	FINAL PLAN

THOMAS ENGINEERING
1010 10TH AVENUE
FOURTH FLOOR
HAYDEN, CO 81639
P.O. BOX 204
LAND SURVEYORS
DOWNING
FAX 278-4395
(970) 278-2613

MCCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN

SEAL OF THE TOWN OF HAYDEN
1883 INCORPORATED BY CHARTER
COMMISSION OF THE COUNTY OF HAYDEN

Mc CARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN PORTIONS OF THE NE/1 SE/4 SECTION 9 T6N R88W, 6th P.M., ROUTE COUNTY, COLORADO



REV 1 23 16 REVERSE PER PLANNING COMMENTS

NOTICE: THIS PLAT IS A PRELIMINARY PLAT AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN TO SHOW THE LOCATION OF THE PROPERTY DESCRIBED HEREIN. THE TOWN OF HAYDEN HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE COLORADO PLAT ACT. THE TOWN OF HAYDEN DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAT. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PLAT. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PLAT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COME TO THE DATE OF DEED RECORDATION SHOWN HEREON. AFTER THE DEED RECORDS MORE THAN TEN YEARS FROM THE DATE OF DEED RECORDATION SHOWN HEREON, THE TOWN OF HAYDEN WILL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE TOWN OF HAYDEN DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAT. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PLAT. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PLAT.

NO.	DATE	BY	REVISION
1	10/15/16	JLM	INITIAL DESIGN
2	10/15/16	JLM	REVISIONS TO THE TOWN OF HAYDEN
3	10/15/16	JLM	REVISIONS TO THE TOWN OF HAYDEN

DOWNING
LAND SURVEYORS
P O BOX 944
HAYDEN CO 81439
FAX 726-8585
TEL 726-8113

RESOLUTION 2016 - 14

**A RESOLUTION OF THE TOWN COUNCIL FOR HAYDEN, COLORADO
FINDING SUBSTANTIAL COMPLIANCE WITH THE STATUTORY
COMPLIANCE FOR ANNEXATION AND INITIATING ANNEXATION
PROCEEDINGS FOR THE MCCARTY ANNEXATION**

RECITALS

1. A written petition, together with four (4) prints of an annexation map was filed with the Clerk for the Town of Hayden requesting the annexation of certain real property to be known as the McCarty Annexation; and
2. The Hayden Town Council desires to initiate annexation proceedings in accordance with law.

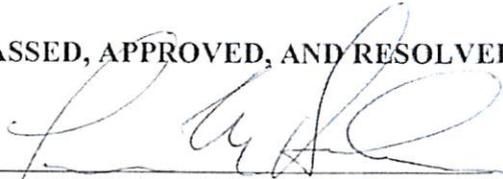
**NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL
AS FOLLOWS:**

Section 1. That the Town Council hereby accepts the annexation petition for the McCarty Annexation, which real property is more particularly described in Exhibit B, attached hereto and incorporated herein by this reference (the "Property").

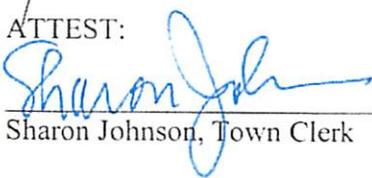
Section 2. That the Town Council hereby finds and determines that the Annexation Petition and accompanying Map, Exhibit A, are in substantial compliance with the Municipal Annexation Act at C.R.S. 31-12-101 et seq. (the "Act").

Section 3. That the Notice attached hereto shall be adopted as part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of an annexation ordinance pertaining to the Property. The Town Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Act.

PASSED, APPROVED, AND RESOLVED THIS 5th DAY OF MAY, 2016.


James M. Haskins, Mayor of the Town of Hayden

ATTEST:


Sharon Johnson, Town Clerk



NOTICE

TO ALL INTERESTED PERSONS:

Please take notice that the Town Council for the Town of Hayden, a Colorado home rule town, has adopted a Resolution initiating annexation proceedings for the McCarty Annexation, said Annexation being more particularly described in the Annexation Petition and the Resolution, a copy of which precedes this Notice.

Further, that on June 16, 2016 at 7:30 p.m. or as soon thereafter that the matter can be heard in the Council Chambers of the Town Hall at 178 West Jefferson Ave., Hayden, CO 81639, the Hayden Town Council will hold a public hearing upon the annexation petition for purposes of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation. At such hearing, any persons may appear and present such evidence as they may desire.

Dated the 5th day of May, 2016



Sharon Johnson, Town Clerk

**McCarty Property
Petition for Annexation of unincorporated territory
in the County of Routt, State of Colorado
to the Town of Hayden, Colorado.**

TO THE MAYOR AND THE TOWN COUNCIL OF HAYDEN, COLORADO:

The undersigned, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the Town Council of the Town of Hayden, Colorado, for the annexation of the following described unincorporated territory located in the County of Routt, State of Colorado, to-wit:

For legal description see Exhibit B, attached hereto and incorporated herein by reference.

In support of said petition, your Petitioner alleges:

1. It is desirable and necessary that the above-described unincorporated territory be annexed to the Town of Hayden, Colorado.
2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to-wit:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Hayden; calculations are detailed on Exhibit A: Annexation Map;
 - b. A community of interest exists between the area proposed to be annexed and the Town of Hayden;
 - c. Said area is agricultural and will be urbanized in the near future;
 - d. Said area is integrated with or is capable of being integrated with the Town of Hayden.
3. The requirements of Section 31-12-105, C.R.S. as amended, exist or have been met, to-wit:
 - a. In establishing the boundaries of the territory to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowners;
 - b. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next proceeding the annexation) has been included without the written consent of the landowners;
 - c. That no annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;

1. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

2. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

3. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

4. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

5. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

6. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

7. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

8. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

9. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.

10. The proposed amendments would not be subject to the provisions of the Act which require that any change in the terms of a trust agreement be approved by the beneficiaries of the trust.



Notary Public
 State of Colorado
 Commission Expires June 18, 2015

The foregoing instrument was acknowledged before me on this _____ day of _____, 2015, by _____ and _____, known to me to be the persons whose names are subscribed to the foregoing instrument.

My commission expires on _____.

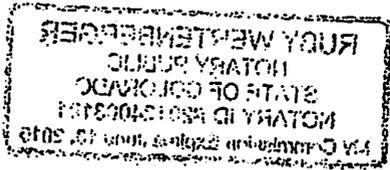


EXHIBIT B: LEGAL DESCRIPTION

DOWLING LAND SURVEYORS, LLC
P.O. BOX 954
HAYDEN, COLORADO 81639
(970) 276-3613
Fax (970) 276-1695
dowling@plotz.biz

McCarty's Second Annexation

LEGAL DESCRIPTION

A tract of land in the NE1/4SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:

Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Townsite Company to Hayden, Colorado:

Thence East 218.8 feet;

Thence S 23°35' E, 54.5 feet;

Thence S 28°21' W, 124.0 feet.

Thence West 181.7 feet;

Thence North 154.0 feet to the point of beginning.

County of Routt, State of Colorado

EXHIBIT C: ADJOINING PROPERTY OWNERS LIST

Property Owners within 150 feet of the McCarty Annexation Request

Owner Name	Owner Street 2	Owner City	Owner State	Owner Zip	Site Address
MC CARTY, TERRY H. & LOREEN M. (JT)	P O BOX 743	HAYDEN	CO	81639-0743	345 JACKSON Ave
Geddes, C Nicole	PO Box 231	HAYDEN	CO	81639-0231	
Mauer, Loita M	PO Box 123	HAYDEN	CO	81639-0123	
Johnston, Jeff K and Sylvia L	PO Box 52	HAYDEN	CO	81639-0052	
FAUCETT, DANIEL & KATHLEEN	P.O. BOX 952	HAYDEN	CO	81639-0952	335 S POPLAR ST
JAZWICK, LORETTA DIANNE	P O BOX 674	HAYDEN	CO	81639-0674	305 S POPLAR ST
Hayden School District	PO Box 70	HAYDEN	CO	81639-0070	

**TOWN OF HAYDEN
ORDINANCE NO. 672**

**AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN
TERRITORY TO THE TOWN OF HAYDEN, COLORADO.**

RECITALS

1. A written petition for annexation (the “McCarty II Annexation”) has been reviewed by the Town Council and was found to be in substantial compliance for initiating annexation proceedings;
2. The Town Council, after notice in accordance with C.R.S. 31-12-108 (2), has determined that the proposed annexation complies with C.R.S. 31-12-104 and 105 and the real property described in the annexation petition (the “Property”) is eligible for annexation;
3. The Town Council has determined that an election is not required and that the annexation may occur by ordinance; and,
4. The Town Clerk has given notice of this hearing to consider the passage of an ordinance to approve the annexation of the Property.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
HAYDEN, COLORADO.**

Section 1. The annexation to the Town of Hayden, Colorado of the Property, described in Attachment 1, is hereby approved.

Section 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. EFFECTIVE DATE. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect fifteen (15) days after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 4. PUBLIC HEARING. A public hearing on this Ordinance will be held on the 16th Day of June, 2016 at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 2nd DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016 .

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

Attachment 1
Legal Description of McCarty Annexation Property

LEGAL DESCRIPTION

A tract of land in the NE1/4SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:

Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Townsite Company to Hayden, Colorado;

Thence East 218.8 feet;

Thence S 23°35' E, 54.5 feet;

Thence S 28°21' W, 124.0 feet;

Thence West 181.7 feet;

Thence North 154.0 feet to the point of beginning.

County of Routt, State of Colorado



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: 2nd READING OF ORDINANCE NO. 673: regarding, McCarty 2nd Annexation Zoning of Property to a Residential Low Density (RLD) Zoning District

AGENDA SECTION: New Business, with Public Hearing

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULE: Not Recommended

BACKGROUND REVIEW:

The applicant has submitted an annexation request for 0.76 acres of land currently unincorporated and surrounded by the Town of Hayden. The property is located on the east side of South 1st Street, approximately 475 feet north of South Popular Street. The applicant wishes to annex the property into the Town of Hayden to receive access to the Town's water and sanitary sewer services in anticipation of future development of a single family dwelling unit. In conjunction with the annexation application, the applicant is requesting the property be placed in the Residential Low Density (RLD) zoning district to comply with zoning regulations.

The McCarty's were granted incorporation of 0.94 acres of land into the Town of Hayden with a prior 2012 annexation request which was codified by Ordinance No. 651. The 0.94 acre request was located east of the current subject property, having frontage on West Jackson Avenue and South Poplar Street and was granted an RLD zoning district classification with Ordinance No. 652.

On May 5, 2016, the Town Council determined the new 2016 Petition for Annexation regarding the subject property was in "substantial compliance" with the State and began the decision-making process and sequencing for this annexation request.

On June 2, 2016, the Town Council considered a 1st Reading of Annexation Ordinance No. 673 and determined the Ordinance was in final form to be considered for a 2nd Reading with a Public Hearing. No project changes were made from the Town Council's 1st Reading.

RECOMMENDATION:

Based on observations and findings as stated in the Staff Report and presented to the Hayden Planning Commission on May 26, 2016; the Commission recommends approval to the Town Council for the McCarty 2nd Annexation Zoning request to a Residential Low Density (RLD) district as it is in compliance with the Town Land Use Code and Comprehensive Plan.

The Town Council may choose to take the following actions after the Public Hearing:

1. Approve property zoning to a Residential Low Density (RLD) district as submitted and adopt Ordinance No. 673.
2. Approve subject to conditions.
3. Deny the project.
4. Postpone consideration to a date certain.

Attachments

Planning Commission Staff Report

Annexation Map

Annexation Concept Plan

Zoning Map

Resolution 2016-14 & Annexation Petition

Ordinance No. 673

MANAGER'S RECOMMENDATION/COMMENTS: I concur with the recommendations of staff and the Planning Commission. I would recommend that the Town Council approve the proposed Zoning Designation of McCarty 2nd Annexation.

**TOWN OF HAYDEN
ORDINANCE NO. 673**

**AN ORDINANCE ESTABLISHING THE ZONING DESIGNATION FOR
PROPERTY ANNEXED TO THE
TOWN OF HAYDEN, COLORADO DESIGNATED AS
THE MCCARTY ANNEXATION II.**

RECITALS

1. The Town Council has annexed real property, described in Attachment 1, into the Town of Hayden, called the McCarty Annexation II, (the "Property") pursuant to C.R.S. 31-12-101, et. seq. and pursuant to a written petition for annexation.
2. The Town Council, pursuant to the Hayden Land Use Code Article 16.03.010.D desires to establish a zone district for the Property.
3. All prerequisites to the Town Council's consideration of the establishment of the zone district, as required by the Hayden Land Use Code Article 16.03.010 D and 16.03.110 have been complied with; and,
4. The Town Clerk has given notice of this hearing to consider the passage of an ordinance to approve the zoning of the Property.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HAYDEN, COLORADO.

Section 1. ZONING. The zoning of the Property is hereby approved, such zoning as depicted on Attachment 2.

Section 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. EFFECTIVE DATE. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect fifteen (15) days after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 4. PUBLIC HEARING. A public hearing on this Ordinance will be held on the 16th day of June, 2016, at 7:00 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 2nd DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

Attachment 1
Legal Description of McCarty Annexation Property

LEGAL DESCRIPTION

A tract of land in the NE1/4SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:

Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Townsite Company to Hayden, Colorado;

Thence East 218.8 feet;

Thence S 23°35' E, 54.5 feet;

Thence S 28°21' W, 124.0 feet;

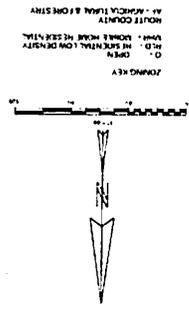
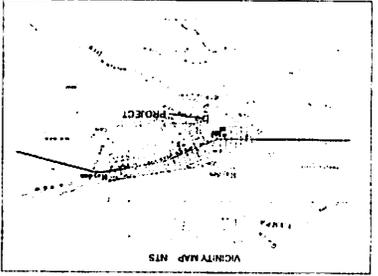
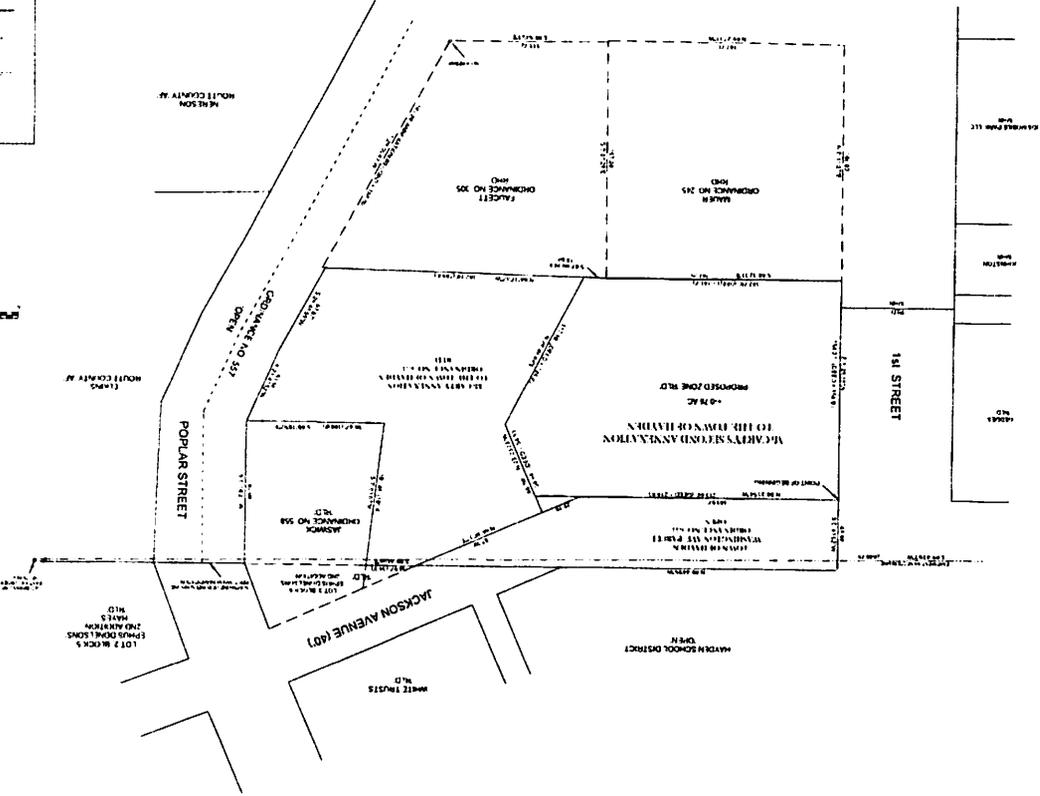
Thence West 181.7 feet;

Thence North 154.0 feet to the point of beginning.

County of Routt, State of Colorado

ATTACHMENT 2
McCarty Annexation Zoning
Map

ZONING AMENDMENT MAP
M-CARTY'S SECOND ANNEXATION
TO THE TOWN OF HAYDEN
PORTIONS OF THE NE1/4 SECTION 9
T6N R88W, 6th P.M., ROUTT COUNTY, COLORADO



NOTES: ACCORDING TO COLORADO LAW, YOUR ZONING MAP MAY BE SUBJECT TO AN ACTION BASED ON ANY DEFECT IN THIS STUDY WITHIN THREE YEARS AFTER YOUR FIRST PUBLICATION. SUCH ACTION MUST BE FILED WITHIN THREE YEARS FROM THE DATE OF PUBLICATION. OTHERWISE, YOUR ZONING MAP IS CONSIDERED TO BE A FINAL ACTION.

NO.	DATE	BY	REVISION
1	10/15/13	PLS	INITIAL ZONING MAP
2	10/15/13	PLS	REVISIONS TO THE ZONING MAP
3	10/15/13	PLS	REVISIONS TO THE ZONING MAP

THOMAS E. HAYDEN & ASSOCIATES
 LAND SURVEYORS
 P.O. BOX 504
 HAYDEN, CO. 81424
 (970) 726-3613
 FAX 276-4395

1. I, **COLEMAN R. DOWNING**, a duly registered land surveyor in the State of Colorado, do hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado. I hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado. I hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado.

2. I, **COLEMAN R. DOWNING**, a duly registered land surveyor in the State of Colorado, do hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado. I hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado.

3. I, **COLEMAN R. DOWNING**, a duly registered land surveyor in the State of Colorado, do hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado. I hereby certify that this zoning amendment map was prepared by me or under my direct supervision and that I am a duly licensed land surveyor in the State of Colorado.



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Ordinance 674 General Election Ballot Question – Sales Tax Increase

AGENDA SECTION: Old Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND REVIEW:

On April 7th, 2016 during the regular Town Council meeting, the issue of whether to place two tax related TABOR questions on the upcoming November General Election in the form of ballot questions was presented to the Town Council. The Council gave direction that the questions should be referred to the residents of Hayden in the General Election.

The attached is the Sales Tax Increase ballot questions. The Town Attorney was directed to review and provide the Ballot Questions for Council's review and adoption. The Ballot question is presented to Council for 2nd Reading in order to meet the deadlines for filing with the County for the Coordinated Election. This is referendum to the Citizens of Hayden requesting an increase in sales tax from 4.0% to 4.5% .

RECOMMENDATION: Staff is requesting the Council approve the second reading of this Ballot question so as to submit the ballot question to Routt County Election Officials.

MANAGER'S RECOMMENDATION/COMMENTS:

I would recommend that the Council approve the 2nd reading of the Ballot Question asking the Citizens of the Town of Hayden for an increase of 0.5% in sales tax.

ORDINANCE NO. 674

AN ORDINANCE OF THE TOWN OF HAYDEN, COLORADO SUBMITTING TO THE REGISTERED ELECTORS VOTING IN THE GENERAL ELECTION TO BE HELD NOVEMBER 8, 2016, A BALLOT ISSUE CONCERNING THE IMPOSITION OF AN INCREASE IN THE SALES TAX FROM 4.0% TO 4.5% AND, UPON ELECTOR APPROVAL, AMENDING THE HAYDEN MUNICIPAL CODE TO PROVIDE FOR THE SAME.

RECITALS

1. The Town of Hayden, Colorado ("Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado.
2. The members of the Town Council ("Council") have been duly elected and qualified.
3. Pursuant to Article XX, Section 6 of the Colorado Constitution, the Town has adopted the 2009 Town of Hayden Home Rule Charter and has the full right of self-government in both local and municipal matters, including the authority to impose local sales taxes, with voter approval.
4. Article X, Section 20, of the Colorado Constitution ("TABOR") and Section 8-16 of the Town of Hayden Home Rule Charter authorizes the Town to submit ballot issues proposing new taxes to its eligible electors at an election to be held on November 8, 2016.
5. The Council hereby determines that both the Town's interest and the public interest and necessity require that the Town impose an increase in the existing sales tax rate from 4.0% to 4.5%.
6. The Council has determined and hereby determines and declares that the interest of the Town and the public interest and necessity require that the Town be allowed to collect, retain and spend all revenues generated from such sales tax, if such tax is approved, regardless of the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution.
7. It is appropriate for voters to approve collection, retention and expenditure of the full amount collected from the tax proposed by the ballot issue described below.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hayden, Colorado:

Section 1. Sales Tax Rate Increase Imposed. Subject to voter approval as provided in Section 4 of this Ordinance, the sales tax rate presently extant is hereby increased from 4.0% to 4.5% (the "Sales Tax Increase")

Section 2. Use of Revenues. The revenues derived from the Sales Tax Increase shall be expended for all purposes and uses permitted by the Town of Hayden Home Rule Charter.

Section 3. Duration. The Sales Tax Increase shall commence for collection purposes beginning January 1, 2017 and continue until repealed by ordinance.

Section 4. Election. Before the tax provided in this Ordinance shall become effective, it shall be submitted to and receive the approval of a majority of the eligible electors of the Town voting thereon at the coordinated election to be held on Tuesday, November 8, 2016.

(a) Conduct of Election. The election shall be held and conducted in accordance with Section 29-2-102, C.R.S., and in accordance with Article X, Section 20 of the Colorado Constitution. The Town Council hereby approves and authorizes the Town Manager and Town Clerk to execute and enter into such agreements or amendments to agreements, on behalf of the Town, with Routt County, Colorado, regarding the conduct of the election. The Town Council hereby designates the Town Clerk as the Designated Election Official for the conduct of the election on behalf of the Town, with the authority and direction to proceed with any action necessary or appropriate to effectuate the provisions of this Ordinance and all constitutional and statutory provisions governing the conduct of this election.

(b) Ballot Title. The ballot title for the Sales Tax Increase shall be in substantially the following form:

SHALL THE TOWN OF HAYDEN SALES TAX RATE BE INCREASED FROM FOUR PERCENT (4.0%) TO FOUR AND ONE HALF PERCENT (4.5%) RESULTING IN AN ESTIMATED \$105,349.00 ANNUALLY IN FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2017 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR?

AND IN CONNECTION THEREWITH,

SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES

NO

Section 5. Codification. In the event a majority of Town electors voting on the ballot issue referred by Section 4 of this Ordinance vote in favor of the issue, as determined and certified by the election results, the Hayden Municipal Code shall be amended as of January 1, 2017, to implement the approved tax increase through the adoption of the provisions of **Exhibit A**, attached hereto and incorporated herein by this reference. It is the express intent of the Council that, in the event a majority of Town electors voting on the ballot issue established and referred by this Ordinance vote against the issue, the Code amendment set forth in **Exhibit A** shall not take effect and shall be null and void.

Section 6. Authorization. The officers of the Town are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

Section 7. Severability. If any portion of this Ordinance or the ballot title is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 8. Effective Date. This Ordinance shall become effective and be in force immediately upon final passage at second reading, and the Sales Tax Increase provided for herein shall be effective January 1, 2017, contingent upon approval by the eligible electors at the November 8, 2016 election.

Section 9. Public hearing. A public hearing on this Ordinance shall be held on the 16th day of June, 2016, at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THIS 2nd DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

EXHIBIT A

RECITALS

1. The Town of Hayden, Colorado (“Town”) is a municipal corporation duly organized and existing under the laws of the State of Colorado.
2. Pursuant to Article XX, Section 6 of the Colorado Constitution, the Town has adopted the 2009 Town of Hayden Home Rule Charter and has the full right of self-government in both local and municipal matters, including the authority to impose local sales taxes, with voter approval.
3. The Town submitted a ballot issue proposing an increase in the sales tax rate to its eligible electors at an election on November 8, 2016.
4. The eligible electors voted to approve the referred question concerning the increase in the sales tax rate.

NOW, THEREFORE:

All references to the 4.0% sales tax rate codified within Chapter 3.04 of the Hayden Municipal Code (“Code”) are amended to a 4.5% sales tax rate, and all references throughout said Chapter to a July 1988 effective date of the sales tax rate are amended to a January, 2017 effective date, excepting Code Section 3.04.065, which is hereby amended to read in its entirety as follows:

3.04.065 Effective Date of Tax.

Upon approval of the sales tax rate increase from 4.0% to 4.5%, referred to Town electors by Ordinance No. 674 and approved by Town electors at the November 8, 2016 regular Town election, the sales tax rate of 4.5% shall become effective and enforced on the first day of January, 2017, and shall apply to all transactions subject to such tax made on or after such date.



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Ordinance 675 General Election Ballot Issue–Mill Levy Tax Increase

AGENDA SECTION: Old Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND REVIEW:

On April 7th, 2016 during the regular Town Council meeting, the issue of whether to place two tax related TABOR questions on the upcoming November General Election in the form of ballot questions was presented to the Town Council. The Council gave direction that the questions should be referred to the residents of Hayden in the General Election.

The attached is the Mill Levy Tax Increase ballot questions. The Town Attorney was directed to review and provide the Ballot Questions for Council's review and adoption. The Ballot question is presented to Council for 2nd Reading in order to meet the deadlines for filing with the County for the Coordinated Election. This is referendum to the Citizens of Hayden is requesting an increase in Mill Levy Property tax of 7.520 mills. This will raise the current Mill Levy of 25.067 mills to 32.587 mills. As has been presented to the Council prior, the town has not raised the Mill Levy in over 20 years. Research has shown that the town has consistently reduced the Mill Levy over the past 20 years from a high of 34.09 mills to its current rate of 25.067 mills.

RECOMMENDATION: Staff is requesting the Council approve the second reading of this Ballot question so as to schedule submit the ballot question to Routt County Election Officials.

MANAGER'S RECOMMENDATION/COMMENTS:

I would recommend that the Council approve the 2nd reading of the Ballot Question asking the Citizens of the Town of Hayden for an increase of 7.520 mills.

ORDINANCE NO. 675

AN ORDINANCE OF THE TOWN OF HAYDEN, COLORADO SUBMITTING TO THE REGISTERED ELECTORS VOTING IN THE REGULAR TOWN ELECTION TO BE HELD NOVEMBER 8, 2016, A BALLOT ISSUE CONCERNING THE IMPOSITION OF AN INCREASE IN THE REAL PROPERTY TAX MILL LEVY FROM 25.067 TO 32.587

RECITALS

1. The Town of Hayden, Colorado (“Town”) is a municipal corporation duly organized and existing under the laws of the State of Colorado.
2. The members of the Town Council (“Council”) have been duly elected and qualified.
3. Pursuant to Article XX, Section 6 of the Colorado Constitution, the Town has adopted the 2009 Town of Hayden Home Rule Charter and has the full right of self-government in both local and municipal matters, including the authority to impose real property taxes and to increase the mill levy above that for the prior year, with voter approval.
4. Article X, Section 20, of the Colorado Constitution (“TABOR”) and Section 8-16 of the Town of Hayden Home Rule Charter authorizes the Town to submit ballot issues proposing new taxes to its eligible electors at an election to be held on November 8, 2016.
5. The Council hereby determines that both the Town’s interest and the public interest and necessity require that the Town impose an increase in the existing mill levy from 25.067 mills to 32.587 mills (the “Mill Levy Increase”) utilized to compute the amount of real estate taxes presently existing upon real property within the Town.
6. The Council has determined and hereby determines and declares that the interest of the Town and the public interest and necessity require that the Town be allowed to collect, retain and spend all revenues generated from such Mill Levy Increase, if such tax is approved, regardless of the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution.
7. It is appropriate for voters to approve collection, retention and expenditure of the full amount collected from the tax proposed by the ballot issue described below.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hayden, Colorado:

Section 1. Mill Levy Rate Increase Imposed. Subject to voter approval as provided in Section 4 of this Ordinance, the mill levy rate utilized to compute the amount of real estate taxes presently existing is hereby increased from 25.067 to 32.587 (the “Mill Levy Increase”)

Section 2. Use of Revenues. The revenues derived from the Mill Levy Increase shall be expended for all purposes and uses permitted by the Town of Hayden Home Rule Charter.

Section 3. Duration. The Mill Levy Increase shall commence for collection purposes beginning January 1, 2017 and continue until repealed by ordinance.

Section 4. Election. Before the Mill Levy Increase provided in this Ordinance shall become effective, it shall be submitted to and receive the approval of a majority of the eligible electors of the Town voting thereon at the election to be held on Tuesday, November 8, 2016.

(a) Conduct of Election. The election shall be held and conducted in accordance with Section 29-2-102, C.R.S., and in accordance with Article X, Section 20 of the Colorado Constitution. The Town Council hereby approves and authorizes the Town Manager and Town Clerk to execute and enter into such agreements or amendments to agreements, on behalf of the Town, with Routt County, Colorado, regarding the conduct of the election. The Town Council hereby designates the Town Clerk as the Designated Election Official for the conduct of the election on behalf of the Town, with the authority and direction to proceed with any action necessary or appropriate to effectuate the provisions of this Ordinance and all constitutional and statutory provisions governing the conduct of this election.

(b) Ballot Title. The ballot title for the Mill Levy Increase shall be in substantially the following form:

SHALL THE TOWN OF HAYDEN MILL LEVY RATE UTILIZED TO COMPUTE THE AMOUNT OF REAL ESTATE TAXES BE INCREASED FROM 25.067 TO 32.587 RESULTING IN AN ESTIMATED \$143,500.00 ANNUALLY IN FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2017 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR?

AND IN CONNECTION THEREWITH,

SHALL THE FULL PROCEEDS OF THE MILL LEVY AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES

NO

Section 5. Authorization. The officers of the Town are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

Section 6. Severability. If any portion of this Ordinance or the ballot title is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 7. Effective Date. This Ordinance shall become effective and be in force immediately upon final passage at second reading, and the Mill Levy Increase provided for herein shall be effective January 1, 2017, contingent upon approval by the eligible electors at the November 8, 2016 election.

Section 8. Public hearing. A public hearing on this Ordinance shall be held on the 16th day of June, 2016, at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THIS 2nd DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST

Sharon Johnson, Town Clerk



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: 1st READING OF ORDINANCE NO. 676, regarding Routt County Street ROW Vacation – Portions of 1st Street and Cleveland Avenue adjacent the Routt County Fairgrounds

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULE: Not Recommended

BACKGROUND REVIEW:

The applicant, Routt County, has submitted a request to vacate approximately 0.85 acres (or 37,028 square feet) of street right-of-way (ROW) for portions of 1st Street and Cleveland Avenue adjacent the Routt County Fairgrounds. The purpose is to facilitate the development of a Recreational Vehicle (RV) Park with nine RV pad sites; in addition to providing access to new public parking and improved pedestrian pathways for access to the Routt County Fairgrounds.

The Town Council approved Resolution No. 2015-36 on November 19, 2015, and gave final approval a Conditional Use Permit (CUP) for a RV Park at the Routt County Fairgrounds. The CUP was approved; conditioned that South 1st Street and Cleveland Avenue ROW vacations are to be approved by the Town Council for the CUP to be effective and that no development of the site occurs until this condition along with other pending conditions were met. Planning Staff is in coordination with the applicant and the applicant's consultants on completing the CUP's other outstanding conditions. The ROW Vacation request is a coinciding project to the CUP project and is being reviewed and approved separately.

Routt County has applied for a Great Outdoors Colorado (GOCO) Grant to improve the fiscal viability of the Fairgrounds by developing the RV Park as an ancillary use to the Fairgrounds. Prior Town Council approval of the CUP establishing the RV Park as a secondary use changed the nature of the Routt County property from needing to solely maintain the streets (identified as dedicated ROW only and not physical streets on the ground) as pre-emptive access to the Routt County property. The Planning Commission and Planning Staff finds redevelopment of the site is a more substantial benefit for the town than place-holding or maintaining ownership to the street ROW's on the Fairground's property. Upon approval of the vacated ROW's, vacated land will be portioned back as equal distant land from the centerline of each ROW to adjacent property ownerships. Adjacent ownership to the east and west of 1st Street and additionally to the north and south of Cleveland Avenue is Routt County.

RECOMMENDATION:

Based on observations and findings as stated in the Staff Report and presented to the Hayden Planning Commission on June 9, 2016; the Commission recommends approval to the Town Council for the Routt County Street ROW Vacation project as it is in compliance with the Town Land Use Code and Comprehensive Plan with the following condition:

1. Routt County shall grant the Town of Hayden rights to a 20 foot Public Water Easement for maintenance of Town water lines on Routt County property.

Staff requests the Town Council: Approve and accept the 1st Reading of the attached Ordinance No. 676 as to schedule a 2nd Reading and Public Hearing.

Attachments

Planning Commission Staff Report
Routt County Request for ROW Vacation
Routt County Street ROW Vacation Exhibit
Routt County Site Pictures
Routt County RV Park Site Plan
Routt County RV Water Easement Document
Ordinance No. 676

MANAGER’S RECOMMENDATION/COMMENTS: I concur with the recommendations of both staff and the Planning Commission.



Town of Hayden

Planning Commission

Staff Report

Project: Routt County Street ROW Vacation - Portions of 1st Street and Cleveland Avenue adjacent the Routt County Fairgrounds

Address: 365 South Poplar Street

Applicant: Ms. Jill Delay c/o Routt County

Prepared by: Ross Culbertson, Hayden Consulting Planner

Hearing Date: June 9, 2016

Background

The applicant has submitted a request to vacate approximately 0.85 acres (or 37,028 square feet) of street right-of-way (ROW) for portions of 1st Street and Cleveland Avenue adjacent the Routt County Fairgrounds. The purpose is to facilitate the development of a Recreational Vehicle (RV) Park with nine RV pads; in addition to providing access to new public parking and improved pedestrian pathways for access to the Routt County Fairgrounds.

The Town Council at their regular meeting on Thursday, November 19, 2015, approved Resolution No. 2015-36 regarding a Conditional Use Permit (CUP) for a RV Park at the Routt County Fairgrounds. The CUP was approved with a condition that South 1st Street and Cleveland Avenue ROW vacations were to be approved by the Town Council for the CUP to be effective and that no development of the site occur until all nine conditions were met.

Staff Analysis

The submitted Routt County Street Vacation Exhibit (attached to this report) depicts the boundary of the street ROW vacation request. The vacated alignment resembles a reversed "L" shape, comprised of an 80 foot wide ROW section of 1st Street, south of South Poplar Street, and an 80 foot wide section of Cleveland Avenue. The vacated area containing the Cleveland Avenue leg terminates at the surveyed alley which separates Routt County property from private property owned by Mr. Bruce J. Daniel. For the purpose of the Routt County request, the Cleveland Avenue termination spot encompass all land area required for the future RV Park development. A portion of Cleveland Avenue from the alley to

South Poplar Street will remain as Hayden ROW until such time a separate street vacation request is made.

The Routt County Street Vacation Exhibit also indicates surveyed Town of Hayden water lines will remain in service as shown with the effective ROW vacation. Routt County will grant the Town a 20 foot wide water line easement by means of a separate instrument document for continued use and maintenance of the utility.

Upon approval of the vacated ROW's, vacated land will be portioned back as equal distance land from the centerline of each ROW to adjacent property ownerships. Adjacent ownership to the east and west of 1st Street and additionally to the north and south of Cleveland Avenue is Routt County.

Compliance with Review Criteria

The applicant is initiating the request under *Title 12 Streets and Sidewalk, Subsection 12.05.010.B & C* of the Hayden Town Code which reads:

Street or alley vacation shall only be allowed if the applicant/petitioner demonstrates by clear and convincing evidence that said vacation is necessary because one or more of the following reasons:

B. The land surrounding the vacant street or alley has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or a new approach to development.

Routt County has applied for a Great Outdoors Colorado (GOCO) Grant to improve the fiscal viability of the Fairgrounds by developing the RV Park as an ancillary use to the Fairgrounds. The CUP's approval by Town Council changed the nature of the Routt County property from a need to strictly maintain the streets as a principle means of vehicular access to Routt County property. Allowing for the site's redevelopment is in staff's opinion a more substantial benefit for the Town than not supporting the street vacation. Staff finds the proposal is in compliance with this standard.

C. The proposed vacation is necessary in order to provide land for a community related use which was not anticipated at the time of the adoption of the Town's Comprehensive Plan, and that such vacation will be consistent with the polices and goals of the Comprehensive Plan.

Hayden citizens and those within the surrounding communities support and utilize the Routt County Fairgrounds as a local park and community event center. The proposed street vacations will allow for the full development of the RV Park as a year round extension of the Fairgrounds as a community related use. Utilizing and promoting the Fairgrounds as a regional community gathering spot supports the Policy and Action step 7.5 within the Town's Comprehensive Plan for implementing the Recreation Master Plan.

Referral Agency and Department Comments

The proposed Street ROW Vacation request was referred to the following agencies for a development review:

1. Planning Consultants – planning review of the Street ROW Vacation request (including exhibits) is complete.
2. Public Works Department (incl. Water & Sewer) comments included:
 - 2a. Dedicate a 20 foot wide Public Water Easement by plat or by separate instrument
 - 2b. Include all of Cleveland Avenue to South Poplar Street within the vacation request.
 - 2c. Identify location of the sewer line in Poplar Street adjacent to 1st Street to insure easements needed to preserve the line are provided.

Public Input

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper at least 15 days prior to this Planning Commission public hearing date. No comments or concerns regarding the Street ROW Vacation of portions of 1st Street and Cleveland Avenue have been received by Planning Staff or the Town Clerk to date.

Staff Recommendation

Based on the above observations and findings of compliance with the Hayden Town Codes, staff recommends:

Approval of the Street ROW Vacation request, subject to the following condition:

1. Routt County shall grant the Town of Hayden rights to a 20 foot Public Water Easement for maintenance of water lines on Routt County property.

Planning Commission Recommending Options

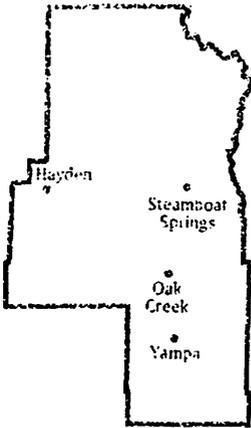
The Planning Commission may choose to:

1. Recommend to the Town Council approval as submitted with staff's conditions.
2. Recommend to the Town Council approval subject to staff conditions and additional Planning Commission Conditions.
3. Recommend to the Town Council project denial.

Attachments

Routt County Request for ROW Vacation
Routt County Street ROW Vacation Exhibit
Routt County Site Pictures
Routt County RV Park Site Plan

Rec'd 3/2/16
Office of Town Clerk
SMJ



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Box 773598 • Steamboat Springs, Colorado 80477

Phone: 970-879-0108 • Fax: 970-879-3992

March 2, 2016

Town of Hayden
PO Box 190
178 West Jefferson Avenue
Hayden, CO 81639-0190

Timothy V. Corrigan
District 1

Douglas B. Monger
District 2

Cari Hermasinski
District 3

Thomas A. Sullivan
County Manager

Re: Request Vacation of a portion of 1st Street and Cleveland Avenue

Dear Town Board Members:

Routt County requests that the Town of Hayden consider the vacation of a portion of 1st Street and Cleveland Avenue south and east of Poplar Street adjacent to the Routt County Fairgrounds Exhibit Hall (please see the attached map and legal description). This area, formerly a trailer park, was purchased by Routt County to provide better access and parking for the Routt County Fairgrounds. Routt County will grant the Town of Hayden utility easements for the existing water lines for the purposes of repair and maintenance of these utilities.

According to the Town code, Routt County is requesting the vacation based on section 12.05.010 C which reads: "The proposed vacation is necessary in order to provide land for a community related use which was not anticipated at the time of the adoption of the Town's comprehensive plan, and that such vacation will be consistent with the policies and goals of the comprehensive plan." Routt County has requested and received approval from the Hayden Planning Commission and Town Board for development of an RV Park and improved pedestrian circulation on the site and the street vacations are necessary to complete the plans as proposed and approved.

Thank you for your consideration of this matter.

Sincerely,

Tim Winter
Purchasing Agent/Property Manager



Routt County Fairgrounds: Street Vacation Request March 2016

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned (whether one or more) **ROUTT COUNTY, COLORADO**, by and through the Routt County Board of County Commissioners, for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto YAMPA VALLEY ELECTRIC ASSOCIATION, INC., a Colorado corporation, (hereinafter called the "Cooperative"), whose address is Steamboat Springs, Colorado, 80487 and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of **ROUTT**, State of Colorado, and more particularly described as follows:

Attached hereto and made a part hereof as Exhibit "A"

and to construct, reconstruct, rephase, add circuits and/or change voltage, repair, operate and maintain in, on or across the above described lands, an electric line or system (distribution, fiber optic, communications and appurtenances); to cut, trim and control the growth of trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system. The right-of-way hereby granted authorizes an overhead and/or underground electrical system.

The undersigned agree that all poles, wires and other facilities, installed in, on or across the above described lands at the Cooperative's expense, shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned believes that it is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those of record on the date of recording hereof.

IN WITNESS WHEREOF, the undersigned have set their hands and
seals this _____ day of _____, 2016.

ROUTT COUNTY, COLORADO

By: _____
Cari Hermacinski, Chair
Board of County Commissioners

Attest:

Kim Bonner
Routt County Clerk

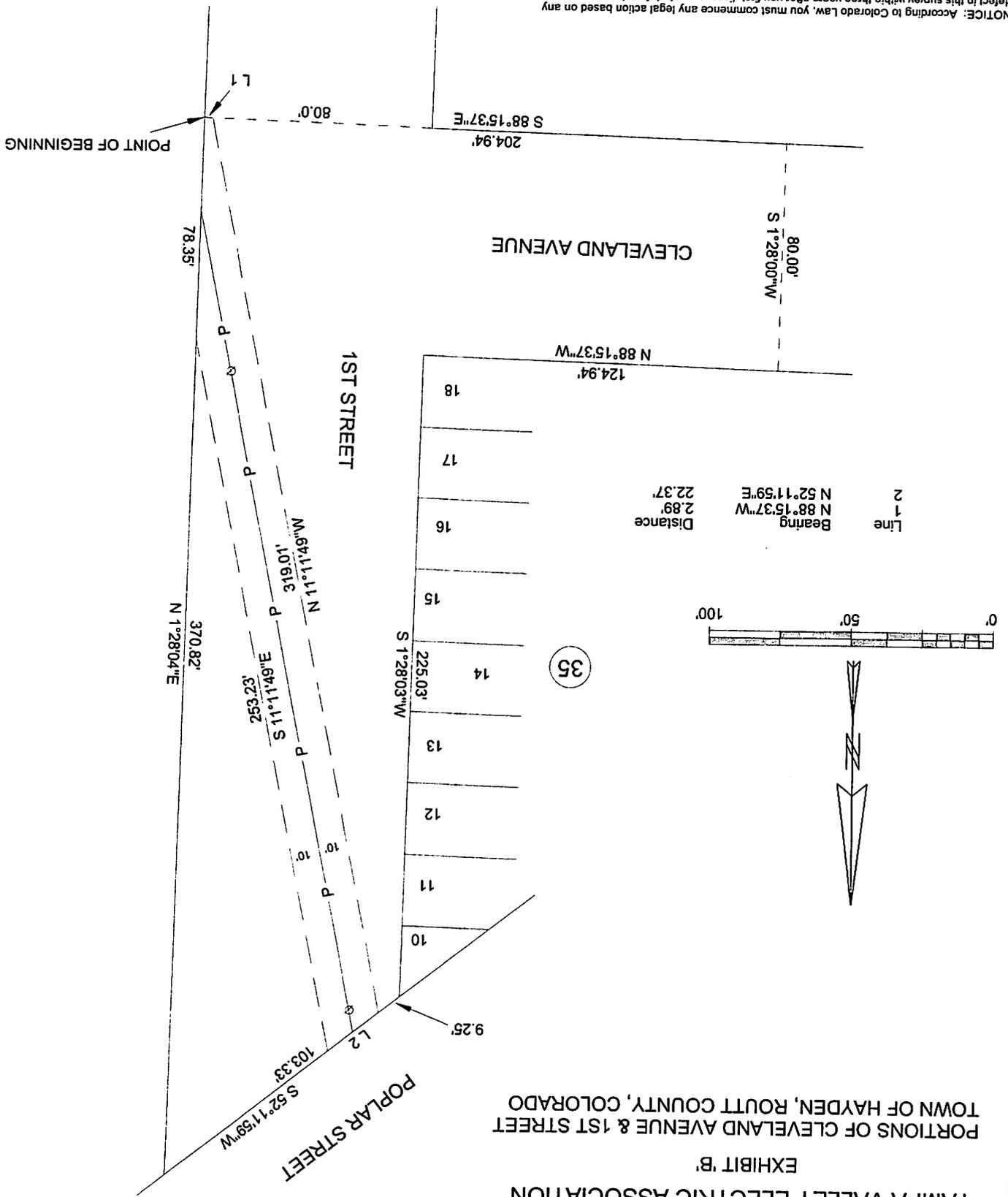
SCALE	DRG	DATE	FILE
1" = 50'	GRD	4/20/16	RCFGVBEA

TOWN OF HAYDEN,
 ROUTT COUNTY, CO
 PORTIONS OF CLEVELAND AVENUE
 & 1ST STREET
 EXHIBIT 'B'

DOWLING LAND SURVEYORS, LLC
 P.O. BOX 954
 HAYDEN, COLORADO 81639
 (970) 276-3613
 dowering@plotz.biz

YAMPA VALLEY ELECTRIC ASSOCIATION

NOTICE: According to Colorado Law, you must commence any legal action based on any defect in this survey within three years after you first discover such defect, in no event may any action be commenced more than ten years from the date of certification shown hereon.



YAMPA VALLEY ELECTRIC ASSOCIATION
 EXHIBIT 'B'
 PORTIONS OF CLEVELAND AVENUE & 1ST STREET
 TOWN OF HAYDEN, ROUTT COUNTY, COLORADO

35

DOWLING LAND SURVEYORS, LLC
P.O. BOX 954
HAYDEN, COLORADO 81639
(970) 276-3613
Fax (970) 276-4695
dowling@plotz.biz

EXHIBIT 'A'

YAMPA VALLEY ELECTRIC ASSOCIATION ELECTRIC LINE EASEMENT

APRIL 20, 2016

A twenty (20) foot wide strip of land located in portions of 1st Street and Cleveland Avenue, Town of Hayden, Routt County, Colorado, being more particularly described as follows:

BEGINNING at a point being the intersection of the projected South line of Cleveland Avenue and the East line of First Street; thence N 88°15'37" W along the projected South line of Cleveland Avenue, a distance of 2.89 feet; thence N 11°11'49" W a distance of 319.01 feet to a point on the South line of Poplar Street (Routt County Road No. 53); thence N 52°11'59" E along the South line of Poplar Street a distance of 22.37 feet; thence S 11°11'49" E a distance of 253.23 feet, to a point on the East line of said 1st Street; thence S 1°28'04" W along said East line a distance of 78.35 feet, to the POINT OF BEGINNING.

Bearings based on the Town of Hayden Datum

rcfgyvea 4-20-16.doc

Gordon R. Dowling
PLS #30090

ORDINANCE NO. 676

AN ORDINANCE VACATING A PORTION OF FIRST STREET AND CLEVELAND AVENUE, AS DESCRIBED IN ATTACHMENT 1, AND RESERVING AN EASEMENT TO THE TOWN OF HAYDEN FOR MAINTENANCE, REPAIR AND CONSTRUCTION OF WATER LINES ON, OVER AND UNDER THE REAL PROPERTY DESCRIBED IN ATTACHMENT 2

RECITALS

1. Routt County, Colorado (“Routt County”) has requested that the Town of Hayden (the “Town”) vacate such portions of First Street and Cleveland Avenue, as described in Attachment 1 (the “Vacated Area”), in order to expand portions of the Routt County Fairgrounds; and,
2. The Town has existing water lines within the Vacated Area and needs to reserve an easement for maintenance, repair and construction of water lines on, over and under the real property described in Attachment 2; and ,
3. The Town has determined that the vacation of the Vacated Area will not negatively impact the proper development of surrounding properties; and,
4. Vacation of the Vacated Area will not be contrary to Hayden Land Use Code; and,
5. The Board of Trustees has held a public hearing on the request to vacate the Vacated Area and has approved said vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO:

Section 1. Vacation. That portion of First Street and Cleveland Avenue, as described in Attachment 1, is hereby vacated, subject to and reserving in the Town an easement for maintenance, repair and construction of water lines on, over and under the real property described in Attachment 2.

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect fifteen (15) days after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 5. Public Hearing. A public hearing on this Ordinance will be held on the 7th day July, 2016, at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SUBSECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016.

Mayor

ATTEST

Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SUBSECTIONS 3-3 (e) through (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 7th DAY OF JULY, 2016.

Mayor

ATTEST

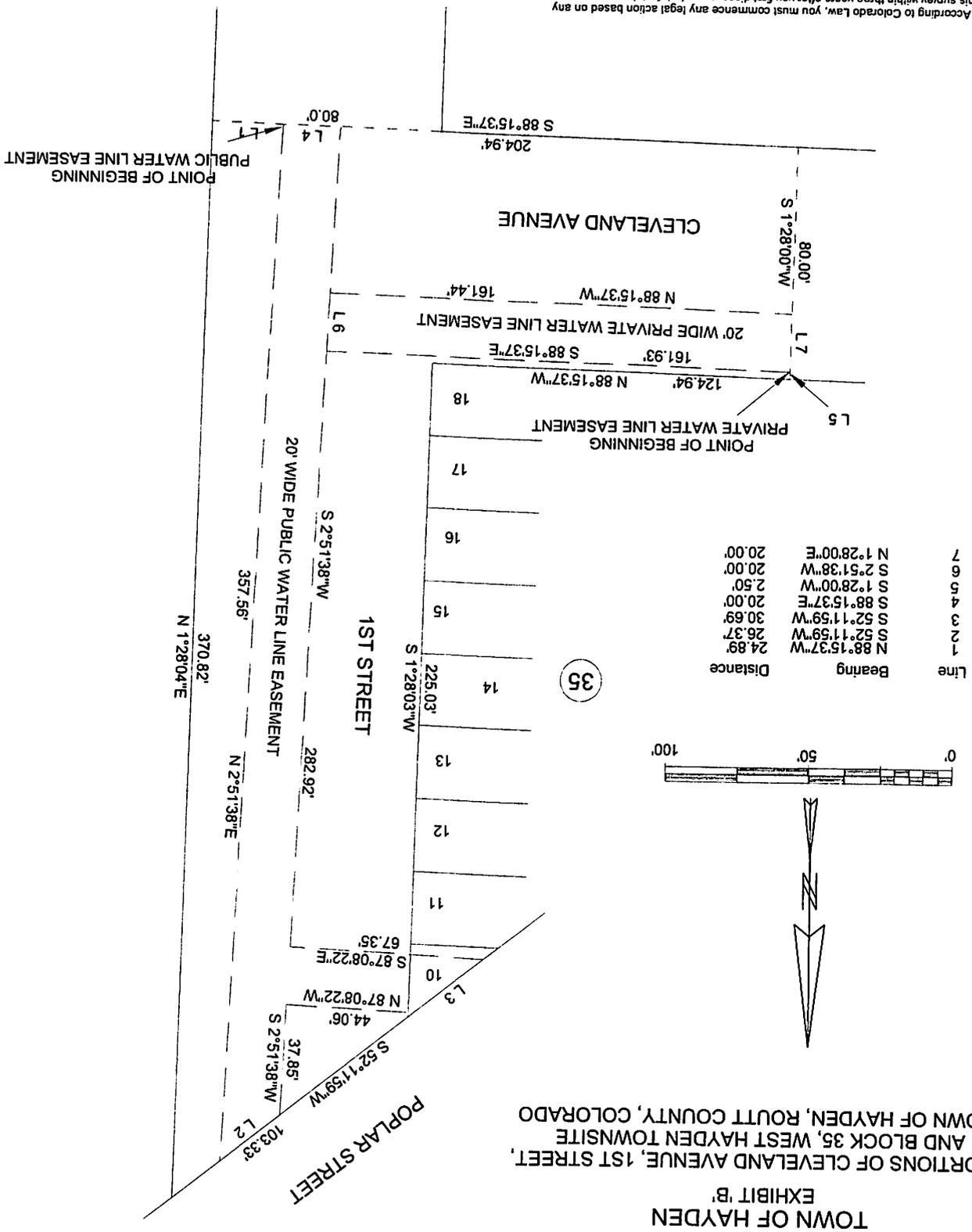
Town Clerk

SCALE	DRG	DATE	FILE	RCFGWATR
1" = 50'	GFD	4/20/16		

DOWLING LAND SURVEYORS, LLC
 P.O. BOX 954
 HAYDEN, COLORADO 81639
 (970) 276-3613
 dowing@plotz.biz

EXHIBIT 'B'
 PORTIONS OF CLEVELAND AVENUE,
 1ST STREET, & BLOCK 35
 WEST HAYDEN TOWNSHIP
 TOWN OF HAYDEN,
 ROUTT COUNTY, COLORADO

NOTICE: According to Colorado Law, you must commence any legal action based on any defect in this survey within three years after you first discover such defect, in no event may any action be commenced more than ten years from the date of certification shown hereon.



TOWN OF HAYDEN
 EXHIBIT 'B'
 PORTIONS OF CLEVELAND AVENUE, 1ST STREET,
 AND BLOCK 35, WEST HAYDEN TOWNSHIP
 TOWN OF HAYDEN, ROUTT COUNTY, COLORADO

DOWLING LAND SURVEYORS, LLC
P.O. BOX 954
HAYDEN, COLORADO 81639
(970) 276-3613
Fax (970) 276-4695
dowling@plotz.biz

EXHIBIT 'A'

TOWN OF HAYDEN/ROUTT COUNTY FAIRGROUNDS WATER LINE EASEMENTS

APRIL 21, 2016

PUBLIC WATER LINE EASEMENT

A twenty (20) foot wide strip of land located in portions of 1st Street, Cleveland Avenue and Block 35, West Hayden Townsite Company Addition to the Town of Hayden, Routt County, Colorado, being more particularly described as follows: COMMENCING at a point being the intersection of the projected South line of Cleveland Avenue and the East line of First Street; thence N 88°15'37" W along the projected South line of Cleveland Avenue, a distance of 24.89 feet, to the true POINT OF BEGINNING; thence N 2°51'38" E a distance of 357.56 feet, to a point on the South line of Poplar Street (Routt County Road No. 53); thence S 52°11'59" W along said South line a distance of 26.37 feet; thence S 2°51'38" W a distance of 37.85 feet; thence N 87°08'22" W a distance of 44.06 feet, to a point on said South line of Poplar Street; thence S 52°11'59" W along said South line a distance of 30.69 feet; thence S 87°08'22" E a distance of 67.35 feet; thence S 2°51'38" W a distance of 282.92 feet; thence S 88°15'37" E a distance of 20.00 feet, to the POINT OF BEGINNING.

PRIVATE WATER LINE EASEMENT

A twenty (20) foot wide strip of land located in portions of Cleveland Avenue and 1st Street, West Hayden Townsite Company Addition to the Town of Hayden, Routt County, Colorado, being more particularly described as follows: COMMENCING at the Southwest Corner of Lot 18, Block 35, said West Hayden Townsite Company Addition; thence S 1°28'00" W a distance of 2.50 feet, to the TRUE POINT OF BEGINNING; thence S 88°15'37" E a distance of 161.93 feet; thence S 2°51'38" W a distance of 20.00 feet; thence N 88°15'37" W a distance of 161.44 feet; thence N 1°28'00" E a distance of 20.00 feet, to the POINT OF BEGINNING.

Bearings based on the Town of Hayden Datum

rcfgwatr 4-21-16.doc

Gordon R. Dowling
PLS #30090



Town of Hayden

Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: WWTF Outfall Lift Station and Forcemain Project – Substantial Completion

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: This is documentation in regards to substantial completion of the WWTF Outfall Lift Station and Forcemain Project. The Town of Hayden awarded the WWTF Outfall Lift Station and Forcemain Project to Native Excavating, Inc. by Resolution 2015-23 on September 17, 2015. The Town's consulting engineer, SGM, Inc., and Native Excavating, Inc. have signed the certification of substantial completion. On February 23, 2016 a final walk-through was done and SGM, Inc. confirmed the substantial completion of the contracted work at the site with no punch list items outstanding.

RECOMMENDATION: It is recommended that the Town of Hayden accept the substantial completion.

MANAGER'S RECOMMENDATION/COMMENTS: *Concur with the recommendation*

RESOLUTION 2016-17

A RESOLUTION FOR THE ACCEPTANCE OF SUBSTANTIAL COMPLETION OF THE WWTF OUTFALL LIFT STATION AND FORCEMAIN PROJECT AWARDED TO NATIVE EXCAVATING, INC.

RECITALS

1. The Town of Hayden Home Rule Charter, Article 8-2 Contracts provides that except as otherwise prescribed by the Town Council, the Town Council shall approve all contracts for the Town; and
2. The Town of Hayden Town Council awarded the WWTF Outfall-Lift Station and Forcemain Project to Native Excavating, Inc. by Resolution 2015-23 on September 17, 2015; and
3. The Town of Hayden Town Council awarded the construction engineering services for the WWTF Outfall-Lift Station and Foremain Project to SGM, Inc. by Resolution 2015-24 on September 17, 2015; and
4. The Town of Hayden's consulting engineer, SGM, Inc., has signed the certification of substantial completion of the WWTF Outfall-Lift Station and Forcemain Project constructed by Native Excavating, Inc.; and
5. Native Excavating, Inc. has signed the certificate of substantial completion of the WWTF Outfall-Lift Station and Forcemain Project; and
6. The Native Excavating, Inc. has substantially completed the project and during a final walk-through on February 23, 2016, SGM, Inc., confirmed the substantial completion of the contracted work at the site; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO THAT:

Section 1. The Town Council approves the WWTF Outfall-Lift Station and Forcemain Project in the form of substantially completion the same as attached herewith.

Section 2. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, APPROVED, AND RESOLVED THIS 16th DAY OF JUNE, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk

**SECTION 00625
CERTIFICATE OF SUBSTANTIAL COMPLETION**

Project: **WWTF Outfall - Lift Station and Forcemain**

Owner: **Town of Hayden**

Owner's Contract No.:

Contract:

Engineer's Project No.: **2010-414.008**

This definitive Certificate of Substantial Completion applies to:

- All Work under the Contract Documents: The following specified portions of the Work:

February 23, 2016

 Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

- Amended Responsibilities Not Amended

Owner's Amended Responsibilities:

Contractor's Amended Responsibilities:

The following documents are attached to and made part of this Certificate:

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

[Signature] 6/7/16
Executed by Engineer Date

[Signature] 6-7-16
Accepted by Contractor Date

Accepted by Owner Date



Town Council Agenda Item

MEETING DATE: June 16, 2016

AGENDA ITEM TITLE: Concession agreement with Mtn. Munchies LLC to provide concessions at Dry Creek Park during the 2016 Triple Crown baseball/softball season.

AGENDA SECTION: New Business

PRESENTED BY: Jill Delay

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: The Hayden Parks & Recreation Board voted to enter into an agreement with Mtn. Munchies LLC to provide concessions at Dry Creek Park during the 2016 Triple Crown baseball/softball season using the Dry Creek Park kitchen. Hayden Parks & Recreation will receive \$75 per day that concessions are open and 10% of the gross sales. The Town Attorney has reviewed the agreement.

RECOMMENDATION: I recommend the Town signs the agreement with Mtn. Munchies LLC

MANAGER'S RECOMMENDATION/COMMENTS: The Town posted this with a request for proposals and received two replies. The selection was done based upon the requests/requirements listed in the advertisements. I would recommend that the Council approve the concession agreement based upon the Parks and Recreation Board's recommendation.

Mt. Munchies LLC.
2901 Abbey Rd.
Steamboat Springs, Colorado
80487

June 2, 2010

To whom it may concern,

I'd like to thank you for the opportunity to bid the new concessions contract in Hayden. It's very exciting to see that the town has met its goal of finishing the facility. I hope to help fulfill Hayden's wish to serve its guests with good food in a friendly and fun manner.

I realize this venue has no history associated with food service to date, that being said, I look forward to the possibility of working with the town to grow the concessions into a viable and valuable revenue builder for the town.

Mt Munchies was the first to set up shop in 2013 at the Ski Town ballfields with much help and encouragement by Ernie Jenkins of the Steamboat Springs Parks and Rec. Department. I had noticed a great lack of services being offered to the Triple Crown visitors in particular. Many of these traveling families were having to leave the fields to find food and beverages off site. I placed a licensed food and the feed back from the teams and fans was fantastic. I recorded many inquiry's as to whether or not I would be at the Hayden fields (as well as Craig) as people said there was a great need for the service. It is my belief that the same enthusiasm I had seen at Ski Town Fields will also be realized in Hayden. If the participating teams are made aware of a reliable source of on-site vending becoming available I believe a positive response will follow.

Again, I thank you for the opportunity.



Jennifer Koepier

Owner Mt. Munchies LLC
970-846-2449

Requirements:

- 1.) Insurance to cover all necessary contractual requirements will be through my current provider Alpine Insurance Agency.**
- 2.) Staffing will be myself, Jennifer Koepfer, and my adult children until such a time as customer traffic warrants the need for additional help. Any and all required insurance will be in place for this issue and submitted to the Town of Hayden.**
- 3.) Hours of operation will coincide with all games scheduled for the Triple Crown roster at the venue. Additional hours will be optional and welcomed again with need and demand.**
- 4.) A \$75.00 per day use fee plus 10% of all gross revenue will be paid to the Town of Hayden.**
- 5.) A \$500. Deposit will be delivered upfront and included with this bid submission.**

Menu:

Breakfast: (for early game times)

Biscuits and gravy waffles	5.75
Banana bread waffles	5.75
Regular waffles (Additional 1.50 with sliced fruit)	5.00
Breakfast burritos (variety)	5.50

Daily offerings:

Popcorn	2.50
Candy (variety)	1.50
Chips (variety)	1.50
Novelty ice cream treats.	1.50 to 2.50
Giant cookie and quick bread slices	2.50 to 3.50
Granola bars variety (ie Kind bars, Lara bars..Quaker bars)	1.50 to 3.50
Fruit (apples and bananas)	1.25
Power ice (local product)	2.50
Water and Gatorade bottles	2.00 to 2.50
Hot coffee, tea, and Hot chocolate	2.00 to 2.50
Soda cans (variety)	1.50
Iced tea and lemonade	2.00 to 2.75
Nachos	4.50
Hot Dogs (rolled or grilled)	5.00
Chili Dogs	7.50
Hamburgers/cheese burgers	7.50

All condiments and paper goods will also be provided in accordance.

* ICED Coffees

2.50 - 4.50

Additional notes:

Any and all equipment needed to procure menu items listed herein that is not currently provided by the Town of Hayden will be provided by Mt. Munchies

**-For example; waffle makers, coffee machines, BBQ grill, holding pots for nacho cheese and chili.
Additional hot dog rollers etc....**

The possibility of slushy type machines or smoothies could be considered as well depending on demand with history

If a copy of my current licensing and tax accounts with the county and the city are needed I will provide immediately upon request.

As this is an inaugural season for the Dry Creek Concessions, I would like to ensure that my participation in this venture would be one of open communication and enthusiasm for both input and feedback in order to better serve the customer and the goals of all involved.

Thank you for your time and consideration on this matter

Best regards,

Jennifer Koepfer

Owner; Mt Munchies LLC

Dry Creek Park Concessions 2016 Proposal

	Hiway 40 Grill & Lodge Total Scores	Mt. Munchies, LLC Total Scores
HPRBM #1	15	20
HPRBM #2	21	22
HPRBM #3	16	23
HPRBM #4	20	24
HPRBM #5	15.5	22
HPRBM #6	21	22
TOTAL SCORE	108.5	133

Dry Creek Park Concessions 2016 Bid Comparison

Selection Criteria	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Menu Variety: submit concessions menu	1	2	1	5
Menu Pricing: submit pricing with menu items	1	3	1	3
Proper Staffing: submit staffing plan	1	3	1	3
Per Day Fee: (min. \$75/day that concessions are open)	1	3	1	5
Sub-Totals	4	11	4	16
Total Scores	15		20	

Dry Creek Park Concessions 2016 Bid Comparison

Selection Criteria	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Menu Variety: submit concessions menu	1	4	1	5
Menu Pricing: submit pricing with menu items	1	5	1	4
Proper Staffing: submit staffing plan	1	4	1	4
Per Day Fee: (min. \$75/day that concessions are open)	1	4	1	5
Sub-Totals	4	17	4	18
Total Scores		21		22

Dry Creek Park Concessions 2016 Bid Comparison

Selection Criteria	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Menu Variety: submit concessions menu	1	4	1	5
Menu Pricing: submit pricing with menu items	1	5	1	5
Proper Staffing: submit staffing plan	1	4	1	4
Per Day Fee: (min. \$75/day that concessions are open)	0	???	1	5
Sub-Totals	3	13	4	19
Total Scores	16		23	

Dry Creek Park Concessions 2016 Bid Comparison

	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Selection Criteria				
Menu Variety: submit concessions menu	1	3	1	5
Menu Pricing: submit pricing with menu items	1	5	1	5
Proper Staffing: submit staffing plan	1	5	1	5
Per Day Fee: (min. \$75/day that concessions are open)	0	4	1	5
Sub-Totals	3	17	4	20
Total Scores		20		24

Dry Creek Park Concessions 2016 Bid Comparison

Selection Criteria	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Menu Variety: submit concessions menu	1	4	1	5
Menu Pricing: submit pricing with menu items	1	4.5	1	4
Proper Staffing: submit staffing plan	1	4	1	4
Per Day Fee: (min. \$75/day that concessions are open)	0	???	1	5
Sub-Totals	3	12.5	4	18
Total Scores	15.5		22	

Dry Creek Park Concessions 2016 Bid Comparison

	Hiway 40 Grill & Lodge		Mt. Munchies, LLC	
	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)	submitted requirement (yes=1 or no=0)	Score based on meeting the requirement (score 1 to 5 with 5 being the best)
Selection Criteria				
Menu Variety: submit concessions menu	1	4	1	5
Menu Pricing: submit pricing with menu items	1	4	1	4
Proper Staffing: submit staffing plan	1	4	1	4
Per Day Fee: (min. \$75/day that concessions are open)	1	5	1	5
Sub-Totals	4	17	4	18
Total Scores		21		22

RESOLUTION 2016-18

**A RESOLUTION APPROVING AN AGREEMENT FOR USE OF THE DRY CREEK
PARK CONCESSION FACILITIES**

RECITALS

1. The Town of Hayden owns Dry Creek Park and its entire infrastructure including food service/concession facilities.
2. The Hayden Home Rule Charter, Article 8, Section 8-2 Contracts, stipulates that except as otherwise prescribed by the Town Council, the Town Council shall approve all contracts for the Town.
3. The Town of Hayden, Parks and Recreation Board, the Board has recommended that the Town Council approve a concession agreement with Mountain Munchies to provide food service at Dry Creek Park during the 2016 Triple Crown Baseball baseball and softball season.
4. The Town of Hayden, a Home Rule Municipality, desires to enter into a concession agreement with Mountain Munchies.

**NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL AS
FOLLOWS:**

Section 1. That the Town Council hereby approves a concession agreement, attached hereto as Attachment A, with Mountain Munchies for use of the Dry Creek Park Concession facility.

Section 2. That the Town Council approves the concession agreement provided the Dry Creek Park Concession facility may be used only for the purpose or purposes as stated in the concession agreement and for no other purpose or purposes without the prior written consent of the Town Council.

Section 3. The Town Council hereby authorizes the signature of the Town Manager on the approved concession agreement.

Section 4. This Resolution shall be in full force and effect upon its passage and adoption.

**INTRODUCED, PASSED, APPROVED, AND RESOLVED THIS 16th DAY OF JUNE
2016.**

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk

CONTRACT FOR CONCESSIONAIRE SERVICES AT TRIPLE CROWN EVENTS IN THE TOWN OF HAYDEN

This contract for Services entered into this 16 day of JUNE , 2016, between the Town of Hayden, Colorado, a home rule town, hereinafter "Town," and MT. MUNCHIES LLC hereinafter "Contractor," and shall cover the provisions of concessionaire services by the Contractor to the Town as set forth in the terms and conditions herein.

RECITALS

- 1 The Town Council of the Town of Hayden, Colorado has authority pursuant to its Charter and Section 31-15-101 C.R.S. to enter into contracts for the provision of services to town government; and
2. The Town Council is desirous of receiving concessionaire services for the benefit of the public at Triple Crown Events and other events at Dry Creek Park in The Town of Hayden; and
3. The Contractor is desirous of providing concessionaire services at Triple Crown Events and other events at Dry Creek Park in the Town of Hayden

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, CONDITIONS, AND OBLIGATIONS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. CONTRACT FOR SERVICES

This is a Contract for Services, and the Contractor and Contractor's employees providing services pursuant to this Contract shall not be construed as employee(s) of the Town of Hayden.

2. TERM OF CONTRACT

The term of this Contract shall commence on **JUNE 17, 2016** and shall continue in effect until the conclusion of the 2016 Triple Crown baseball/softball summer season.

3. CONTRACTOR SERVICES

The Contractor shall provide all labor, food service utensils, and concession and food supplies necessary to fulfill the provisions of this Contract. The Contractor shall be responsible for all food preparation, proper care, and service to the customer; for maintaining clean, healthful, and proper conditions in the kitchen and food service areas, including waste disposal containers utilized within the kitchen and food service areas; and for cleaning the kitchen and food service areas and properly bagging and disposing of all food waste, trash, and other waste materials in the outside dumpster at the close of each business day and as necessary to maintain sanitary conditions in the kitchen and food service areas to leave the kitchen and food service areas in the same condition as they are found by the Contractor.

Contractor shall be required to meet all such rules, regulations, and requirements as the Routt County Environmental Health Department and the ordinances of the Town and the statutes of the State of Colorado may impose on public food service operations. Contractor shall obtain and display a Colorado Food Services License. Contractor is required to be open to serve the public during all such hours and days on which the Triple Crown baseball/softball games are scheduled and/or held. Contractor shall coordinate with Town Staff and agents thereof so as not to interfere with or frustrate the staging of special events or activities as the Town and/or its agents may schedule at its discretion. Contractor shall maintain clear and accurate records as to all sales and

the collection of sales tax on such sales, and the Contractor shall submit said reports and sales tax revenues as required.

Contractor shall open for business from 8:00 a.m. until the conclusion of the last game of the day on all days that Triple Crown is utilizing Dry Creek Park.

4. TOWN DUTIES AND OBLIGATIONS

The Town will provide such sales area, Dry Creek Park kitchen area with concession window, and food service kitchen facilities, including commercial refrigerator, freezer, ice machine, sinks and tables, popcorn machine, hot dog roller, trash and waste disposal containers and other facilities and areas as is mutually agreed to between the Contractor and the Town's Recreation Coordinator.

5. COMPENSATION FOR SERVICES

In addition to sales taxes, Contractor shall pay to Town an amount equal to \$75 PER DAY for each day or part of a day that CONCESSIONS ARE OPEN together with an amount equal to 10% of the gross proceeds received by Contractor from the operation of such concessionaire services. Such monies shall be paid to Town monthly on the last day of each month together with an accurate and complete accounting of all proceeds received by Contractor during such month from the operation of such concessionaire services. The opportunity to make such profit at the Town-owned facility shall serve as full consideration for those Contractor services provided hereunder, and the Contractor shall not file any claim for additional compensation from the Town regardless of the level of compensation actually realized by the Contractor. The rental value of the kitchen and food service areas and other facilities, appliances, and incidentals provided by the Town and related to the Contractor's concessionaire and food service business shall be considered as compensation to the Contractor hereunder, and no additional charge for such rental consideration shall be assessed by the Town to the Contractor.

Contractor has deposited the sum of \$500.00 with the Town as a security deposit to additionally insure the performance of this contract by Contractor. Such security deposit will be returned to Contractor after the expiration or earlier termination of this Contract, less any claims of Town against Contractor.

6. GENERAL TERMS AND CONDITIONS

a. INDEMNITY

The Contractor releases and indemnifies the Town and its officers, employees, agents, insurers, and self insurance pool from and against all liability, claims, and demands arising out of Contractor's performance under this Agreement. Contractor shall provide such liability insurance as is satisfactory to Town and such insurance shall reflect the Town as an additional insured.

b. COMPLIANCE WITH APPLICABLE LAWS

The laws of the State of Colorado shall govern the validity, construction, interpretation, and effect of any Contract entered into. The Contractor shall comply with all applicable Federal, State, and local laws and regulations pertaining to the proper provision of services pursuant to this Contract.

c. TOWN BUSINESS LICENSE

The Contractor shall obtain and/or maintain a current Town of Hayden business license for the duration of the term of this agreement.

d. NOTIFICATION

Any notice required pursuant to the terms of this Agreement shall be sufficient if sent in writing through the United States certified or registered mails addressed to either party to this Contract at the addresses provided below, or at such other address as a party may designate through written notification to the other party to the Contract.

Address for Notices to the Town of Hayden:

Town Manager
Town of Hayden
970-276-3741 (phone) ~ PO Box 190
Hayden, CO 81639
www.haydencolorado.org

Jennifer Koepfer
Mtn. Munchies LLC:
2901 Abbey Rd.
Steamboat Springs, CO 80487
970-846-2449

e. ASSIGNMENT

The parties hereto acknowledge that this is a services contract and accordingly no assignment of this Contract or any right accruing thereunder shall be made in whole or in part by The Contractor without prior express written consent of the Town, which consent shall not be unreasonably withheld.

f. WAIVER

A waiver by either party of any breach of any provision hereof shall not be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any other provision contained herein. No payment or acceptance for any period subsequent to any breach shall be deemed a waiver of any right nor shall it be deemed acceptance of defective performance. Where the condition to be waived is a material part of this Contract such that its waiver would affect the essential bargain of the parties, the waiver must be supported by consideration and take the form of a modification to this Contract.

g. AMENDMENT

This Contract constitutes the final and complete agreement and understanding between the parties hereto with respect to the subject matter hereof. All prior agreements and understandings, whether oral or written, shall be of no effect in the construction of any provisions or terms of this Contract if they alter, vary or contradict this Contract.

h. DEFAULT AND TERMINATION

Time is of essence of this Contract, and should either party default in the terms and conditions contained herein, and should such default continue after the non-defaulting party gives the defaulting party written notice of such default and the defaulting party fails

to cure such default within 72 hours (72) hours of receipt of said notice, this Contract may at the option of the non-defaulting party be terminated without any further notice, and the parties shall be relieved of any further obligations under the terms of this Contract, excepting the obligation of the Town to remit payment to the Contractor for all services rendered in accordance with the terms of this Contract prior to the effective date of termination.

i. BINDING EFFECT

The terms, provisions, covenants, and conditions contained within this Contract shall be binding upon the respective parties, their representatives, successors and assigns.

j. ILLEGAL ALIENS – PUBLIC CONTRACTS FOR SERVICES. CRS 8-17.5-101 and 24-76.5-101

Contractor certifies that it shall comply with the provisions of CRS 8-17.5-101 et seq. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. Contractor represents, warrants, and agrees that it (i) has verified that it does not employ any illegal aliens, through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and Department of Homeland Security, and (ii) otherwise shall comply with the requirements of CRS 8-17.5-102(2)(b). Contractor shall comply with all reasonable requests made in the course of an investigation under CRS 8-17.5-102 by the Colorado Department of Labor and Employment. Failure to comply with any requirement of this provision or CRS 8-17.5-101 et seq., shall be cause for termination for breach and Contractor shall be liable for actual and consequential damages. Contractor, if a natural person eighteen (18) years of age or older, hereby swears or affirms under penalty of perjury that he or she (i) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (ii) shall comply with the provisions of CRS 24-76.5-101 et seq., and (iii) shall produce one form of identification required by CRS 24-76.5-103 prior to the effective date of this contract.

IN WITNESS WHEREOF, the parties have executed this Contract on the day and year first written above.

CONTRACTOR:

Jennifer Koepfer
Mtn Munchies, LLC

TOWN OF HAYDEN, a Colorado home rule town:

by: _____
James M Haskins, Mayor



Town Council Agenda Item

MEETING DATE: 06-16-2016

AGENDA ITEM TITLE: Planning Discussion Items

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski / Ross Culbertson

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW:

Town Staff has been approached over the past several weeks in reference to several new planning items. Both items have the potential to be very beneficial to the Town of Hayden, but also could have several impacts that might be costly to the town in the long run if not handled properly at the beginning of the planning process.

Item #1 – Mr Robert Orr has approached the Town and Submitted a preliminary plan outline for use of vacant lot located on Jefferson and Walnut. Mr Orr would like to build a Hotel/Restaurant/Bar at this location. Mr Orr's preliminary design shows a building that runs while not lot line to lot line is designed that the building forms maximize the site. The obvious benefit to the Town is the increase in business, local available rooms for travelers and hunters. There were several items that Planning noted to Mr Orr that would have to be addressed prior to moving forward in the process. One of the chief concerns seems the lack of planned parking. Mr Orr has cited a parking study done by Colorado University that he indicates that there would be adequate on street parking for his 26 room Hotel/Restaurant, employees and business. Mr Orr indicated that he would like to by-pass the normal process in order to obtain a variance from the Board of Adjustment. Mr Culbertson from RG has prepared information, which is attached, on the various issues with this proposal and the potential problems that might occur for the Town in future years.

Item #2 – Sonesta Park. - The Town Planner has been approached about re-visiting the pre-platted land that is behind the townhomes that are located on Sonesta Court. This area was platted in the mid to late 80's with the initial building being started. (Current Town Homes). The Site Plan has since expired (three years after adoption). The initial Site Plan called for several dozen units to be built behind the current townhomes. There were no additional city streets incorporated into this platting. There are two options in regard to this inquiry:

- Through administrative process the Site Plan expiration date can be extended with a requirement that the parties interested revise and update the platting plans to be in compliance with the current land use code, regulations and current building codes.



- Since this Site Plan is expired the Council can require the interested parties to complete a new process in regards to development of this property. This would allow the current council to have a degree of input as to whether this type of housing is preferred in this area or if it needs to be re-addressed.
- This particular area and land is zoned as High Density Residential.

MANAGER'S RECOMMENDATION/COMMENTS: This is a discussion item and for Staff to obtain an idea of how Council would like Staff to proceed in moving forward on these projects. It is also so that Staff can provide accurate information and expectations to the various parties involved in order to be successful in developing these various areas.



Memorandum

**To: Hayden Town Council and
Chief Greg Tuliszewski, Acting Town Manager**

From: Ross Culbertson, Hayden Planning Consultant

Date: June 14, 2016

Re: Planning Report regarding Bear River Inn and Sonesta Park Townhome developments

Councilmembers:

This memo is being provided as a Planning Report Item addendum to your regular Agenda for the purpose of bringing background information and Planning Analysis to two pending development projects. Staff would like the opportunity to discuss specific Zoning and Subdivision Code Standards for each project, indicate the applicant's request, and then seek Council's input for staff to formulate a more clear recommendation regarding each project's future process steps.

Item 1: Bear River Inn Site Plan Review

Background: The Town received a formal Site Plan submittal for the Bear River Inn (incl. Application and Payment) on May 16, 2016 from Mr. Rob Orr of Yountville, CA. Mr. Orr owns the subject property being 0.16 acres (7,000 SF) at the northwest corner of West Jefferson Avenue and North Walnut Street (a.k.a. 112 West Jefferson Ave.). The property is zoned within a Central Business District (CBD) zoning district and the site is designated as a "Historic Downtown Commercial" land use category on the Hayden Comprehensive Plan's Future Land Use Map. The applicant wishes to develop the site with a 26 room hotel with restaurant and bar consisting of two (2-story) buildings separated by a 17-foot wide breezeway that contains fire egress stairs, a drainage easement, trash and recycling bins, paving and landscaping.

Staff reviewed the Site Plan proposal and responded to the applicant on May 27, 2016, indicating the submittal was "Incomplete" due to 11 project deficiencies. Since that direct communication; staff has noted two more deficiencies for a total of 13 items of incompleteness. Refer to the "Incompleteness Identification Map" and Legend. Staff indicated in writing that the project would not be referred to the Town's review agencies and departments for continuing a full development review until the project could be brought to a stronger level of completion; specifically meeting the outlined code deficiencies referenced.

Pursuant to the Subdivision Regulations 16.04.100 of the Land Use Code; *"a Site Plan is, a prerequisite to a building permit for all multi-family, commercial, and industrial development. The Site Plan shows how the lot will be developed so that the Town can ensure that the site design will be in compliance with all Town regulations."* Based on this statement

and the companion review criteria of this subsection, staff determined more design effort was needed to make a more substantial Site Plan review. The applicant recently indicated by phone he would weigh the effort in pursuing this specific Site Plan's layout further by seeking Variances to staff's incompleteness determination and outreach to Councilmembers for consideration of the original proposal. In response to this potential step; staff would like to preemptively update the Council regarding a few of the development's key site deficiencies and provide reasoning to the incompleteness determination with justifiable code references that apply. Staff would be more supportive of the overall project if more land area was acquired to make the project more viable.

Deficiency 1: Parking - Staff identifies the proposed development (Hotel & Restaurant) requires 38 parking spaces. The applicant's proposal is designed with no on-site parking and relegates all parking to adjacent public street sides and is contingent on future off-site parking arrangements within 400 feet of the building. Staff contends the site is overbuilt where the lot size cannot accommodate the project's proposed scope and it would be burdensome for patrons to park off site in addition to becoming a nuisance to adjacent residential uses. The site and building arrangement would need to be reconfigured to accommodate on-site parking in conjunction with some off-site street parking and parking agreements. Refer to the "Staff Solutions Map" for a generalized diagram of a conforming site layout. There would also be potential parking conflicts with adjacent businesses (i.e. Yampa Valley Brewery) which also use street side parking on the west side of Walnut Street. The proposed development would also need to accommodate a designated "snow storage" location on the property for snow removal on sidewalks and adjacent street sides. On-street parking would be limited during winter months. Staff's parking review and analysis takes the following code sections into consideration:

Chapter 16.02.090.B.1-11

Particularly of Note: Section 16.02.090.B.10 - *Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking arrangements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.*

Staff finds there is not a substantial "demand" or pressure from multiple land uses within the downtown to necessitate application of shared off-street or on-street parking to supply as the sole substitute for standard parking requirements. The applicant does have the right to negotiate with adjacent businesses to provide off-site parking. However to process the pending Site Plan, evidence of these agreements is necessary. Additionally, the proposed hotel use (with 26 rooms) is not, in staff's opinion, a reasonable compatible use to adjacent commercial businesses in applying shared parking arrangements. These agreements are typically arranged between high intense uses and lower intensive uses such as child day care centers, professional office uses, churches, and other businesses that can provide additional parking spaces outside of regular business hours to supplement more intense uses. Negotiating shared parking agreements with general commercial uses may inhibit parking conflicts and is not advisable.

Section 16.02.090.B.11 - *Adjacent on-street parking in the CBD: Central Business District. In order to promote a pedestrian scale and encourage a perception of safety in the CBD, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirement.*

Staff agrees the code permits a combination of parking alternatives in the CBD to promote pedestrian walkability, yet does not support all required parking to be provide as off-site for the proposed hotel and

restaurant use. Adjacent residential uses would be impacted by hotel patrons parking overnight in front of homes and conflict with visitor parking and street snow removal. These conditions are typically found within highly populated and dense urban neighborhood fabrics such as Washington Park and Cherry Creek in Denver which are reacting to development and parking pressures. Hayden has the opportunity to proactively mitigate these eventual conditions by supporting best practice parking methods now. A new parking study at the applicant's expense would be required to quantify and record how off-site parking would be accomplished.

Section 16.02.090.C.1 - *Required parking in the CBD can be met with on-street and shared parking.*

Same analysis as stated above.

Section 16.02.090.C.3 - *The location of off-street parking facilities for other than residential uses shall be within four hundred (400) feet of the building they are intended to serve when measured from the nearest point of the building or structure.*

The applicant has not evidenced any parking agreements with adjacent uses nor identified if off-site spaces are located within 400 feet.

Chapter 12.04.100

Snow Removal - Duty of Abutting Property Owner. It is unlawful for the owner, occupant or agent of any lot, parcel or tract of land to permit snow to remain on the sidewalk on the street upon which such lot, parcel or tract of land abuts for a period exceeding twenty-four hours after termination of the falling snow.

The applicant will need to provide a dedicated snow removal dumping site on the property. Snow clearing of streets will conflict with the applicant's proposal for on-street parking for the hotel and restaurant uses.

The applicant's Site Plan submittal narrative cites the Town's 2014 UTA Hayden Downtown Parking Analysis report as supportable documentation that downtown blocks can be utilized for on-street parking. Planning Staff recognizes the Parking Analysis report as a "base-line benchmark" report with findings and recommendations for downtown developments to consider. However, the report has not been codified by an ordinance and is not enforceable. The report's author indicates a need to assess and review current parking standards under Item 4.A of "Improvements & Recommendations" (pg. 57) as the Snow Removal standard conflicts and voids general provisions of on-street parking for businesses. A deeper code analysis and or code revision would be required to modify snow removal procedures or more clearly define parameters for permitting any use within the CBD to utilize on-street parking.

Deficiency 2: Rear Setback - Staff identifies the development would be required to maintain a 10 foot building setback due to being adjacent to residential use. The applicant's proposal is designed with a five foot rear setback accommodating a five foot utility easement with trees and shrubs. Staff's review and analysis takes the following code sections into consideration:

Chapter 16.03.040. Principal and Conditional Uses Permitted by Zoning District

Particularly of Note: Section 16.03.040.G.4.e - *CBD Central Business District. Minimum rear setback: no minimum requirements except for a 10 foot setback if the property has contiguity to a residential zone district property line or property used solely for residential purposes.*

Deficiency 3: Buffering and Screening adjacent to Residential Use - Staff identifies the development would be required to implement effective landscape screening or combination of landscaping and a wall to mitigate impacts of the development to the single-family house to the north. The applicant's proposal is designed with a five foot rear setback accommodating a five foot utility easement with trees and shrubs. A more thorough Site Plan and Landscape Plan identifying screen wall or plant material heights would be required with a potentially larger planting area width. Staff's review and analysis takes the following code sections into consideration:

Chapter 16.02.160. Buffering and Screening Techniques

Particularly of Note: Section 16.02.160.B.2 - *It shall be the responsibility of the developer of the higher intensity use to demonstrate that the use will be compatible. This can be accomplished through the effective use of shared access parking, appropriate building orientation and setbacks, landscaping, architectural treatments, buffer areas, and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic.*

Should the development be redesigned to accommodate parking at the rear of the site, staff would require a screen wall and trees be incorporated as a buffer element to the single family house to the north.

Deficiency 4: 2nd Floor Building Encroachment into the Building Setback/ROW - Staff identifies that the proposed 2nd Story floorplan and building elevations indicate building projections of 3 feet from the main building wall plane. These projections do create a more interesting facade elevation and respond to the interior space-planning in designing for appropriate hotel room depths to accommodate bedroom furnishings. However, the 3 foot building projections encroach the established building lines which are the actual street right-of-way (ROW) limits to West Jefferson Avenue and North Walnut Streets. Staff would be supportive of the projections if the main building footprint was pulled back at least 3 feet to accommodate the building extensions so as not to encroach the setback or ROW's. Staff's review and analysis takes the following code sections into consideration:

Chapter 16.03.060. Density and Dimensional Standards

Particularly of Note: Section 16.03.060.B.6 - *Permanent features allowed within the setbacks shall include:*

- i. Cornices, canopies, eaves or other similar architectural features if they extend no more than two feet (2') into a required setback and if they do not encroach or overhang an easement.*

Chapter 16.03.040. Principal and Conditional Uses Permitted by Zoning District

Particularly of Note: 16.03.040.G.4.d, e & f - *CBD Area Regulations. The area regulations are as follows:*

d. Minimum front setback: no minimum requirements

e. Minimum rear setback: no minimum requirements except for a 10 foot setback is the property has contiguity to a residential zone district property line or property uses solely for residential uses.

f. Minimum side setback: no minimum requirements except for a 10 foot setback is the property has contiguity to a residential zone district property line or property uses solely for residential uses.

Should the development be redesigned to accommodate the extra projections by offsetting the main structure, then a Variance would not be required.

The issues of no provided On-Site Parking, Rear Setback, Buffering, and the 2nd Floor Building Encroachment are major enough to support the incompleteness determination and would be the four elements the applicant would have to prove worthiness for Variance support to the Town's Board of Adjustment. Staff will consider any Council feedback on these issues and relay a consolidated response to the applicant.

Item 2: Reinstatement of Sonesta Park PUD

Background: Planning Staff met with a potential developer who inquired over the possibility of reinstating and continuing the development pattern for a condominium project with building units depicted on the recorded Sonesta Park PUD Plat. The subject site is located on the west side of Harvest Drive, approximately 715 feet south of the South Poplar Street bend. Sonesta Park was developed in the early 1980's (Plat was filed on July 30, 1980) and depicted a total area of 5.54 acres, having 72 individual condo lots (made up of 22 separate buildings) with connecting access drives and adjacent parking similar to a multi-family development layout. From the approved plat and construction plans, only three buildings were built within a Phase 1 program which included eight saleable condo lots (Lots 65-72) having frontage on a private access drive named Sonesta Park Drive.

Staff has concerns that building codes and site planning criteria has changed since the project's dormancy 36 years ago and that the development pattern may not meet the Town's fire code and building code. Additionally, the original plat was not defined with public or private street names for addressing purposes yet precedent was set addressing the built units off of Sonesta Park Drive. Staff brought these concerns to the Town Manager who advised bringing this before the Town Council for input.

Staff suggests any potential developer who may wish to reinstate the development pattern of Sonesta Park complete the following:

1. Replat the Subdivision - the original plat includes the condominium building footprints for all buildings on one lot. A subdivision would be needed to divide the permitted and built structures with Phase 1 as "Lot 1" and the remainder to include new development as "Lot 2".
2. Provide a new Site Plan for Planning Commission Approval - current subdivision regulations indicate a Site Plan is effective for 3 years and that if project are phased, building permits shall not be issued if development has not occurred within the 3 year time limit.

A future applicant would be required to provide due-diligence research and engineering efforts to verify how the site can accommodate a similar site layout as prescribed by the original plan. Additional vetting by the Town's Fire District and Civil Engineering consultants will need to occur to discuss site access across steep grade changes and necessary retaining wall systems to accommodate building pad placement on the site's high points. Staff's review and analysis takes the following code sections into consideration:

Chapter 16.04.100. Site Plan Standards

Particularly of Note: 16.04.100.B.1.d – *Community Design Standards – Demonstrate in writing or graphic form how the proposed structure is consistent with this Code and development Standards.*

Section 16.04.100.B.12.a. – *Post Approval Actions, Building Permit. A building permit shall be issued only when a site plan has been approved.*

Section 16.04.100.B.12.b. – *Post Approval Actions, Phasing and expiration of approval. The site plan shall be effective for a period of three (3) years from the date of approval. For multi-phased plans, building permits shall not be issued based on the approval date more than three (3) years from the date of Phase 1 approval.*

Section 16.04.100.D.1. – *Amendments to approved Site Plans. Minor variations in the location of structures, improvements or open spaces areas caused by engineering or other unforeseen difficulties may be reviewed and approved by Town Staff. Such changes shall not exceed ten (10) percent of any measureable standard or modify the use, character, or density of an approved site plan.*

Section 16.04.100.D.2. – *Amendments to approved Site Plans. Changes to approved site plans the exceed the ten (10) percent threshold, or other major modifications (such as changes in building size or footprint, relocation of access points, changes to required parking, etc.), shall be considered a new site plan application. Such amendments shall require Planning Commission review and approval to become effective.*

Section 16.04.110.B.1. – *Resubdivision. Replat including changes to any lot, tract, or parcels, and the relocation or addition of street rights of way. For the Replat of any approved final plat Town staff may request the Town Board waive all or portions of the sketch plan, preliminary plat and final plat requirements depending on the extend of the proposed replat. Waiver of any technical or process requirement is at the sole discretion of the Board.*

Staff will take comments and input from the Council regarding these two development issues. If it is the pleasure of the Council, staff will communicate to the applicant's that:

1. Bear River Inn remains incomplete and that it would be at the applicant's discretion to proceed with Variance Requests to the Board of Adjustment without staff support.
2. Sonesta Park Townhome PUD can be revisited but not reinstated as is. The project would require processing of a Replat and a new Site Plan approved by the Planning Commission.

Memo Exhibits for Reference:

Bear River Inn –

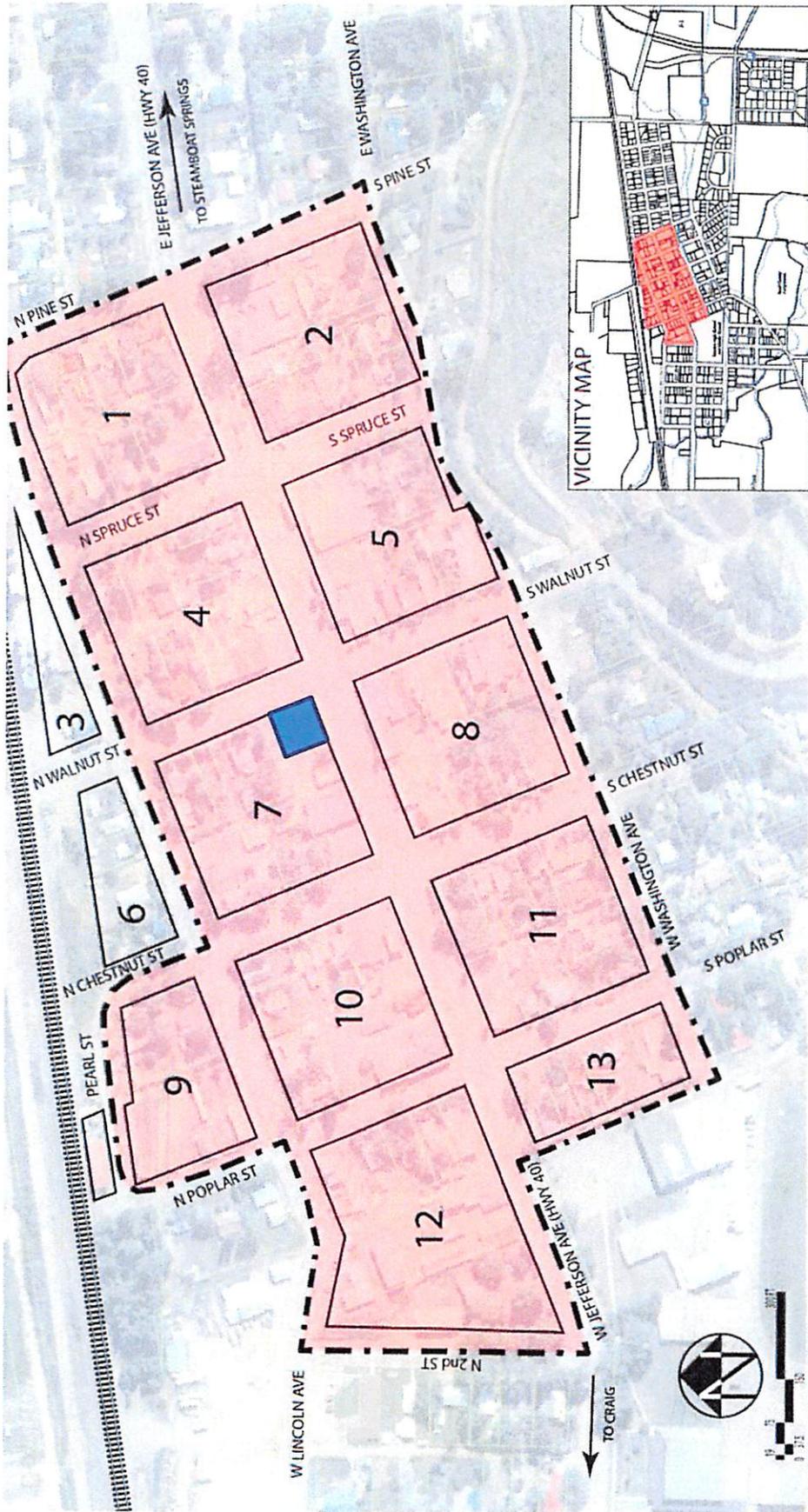
1. Location Map
2. Zoning Map
3. Site Diagram & Incompleteness Map
4. Staff Solutions Diagram
5. Parking Analysis

Sonesta Park PUD –

1. Recorded Plat
2. Grading Plan
3. Landscape & Site Plan

Location of Proposed Bear River Inn

Shown in blue



Map of Parking Analysis Area



Presented by:



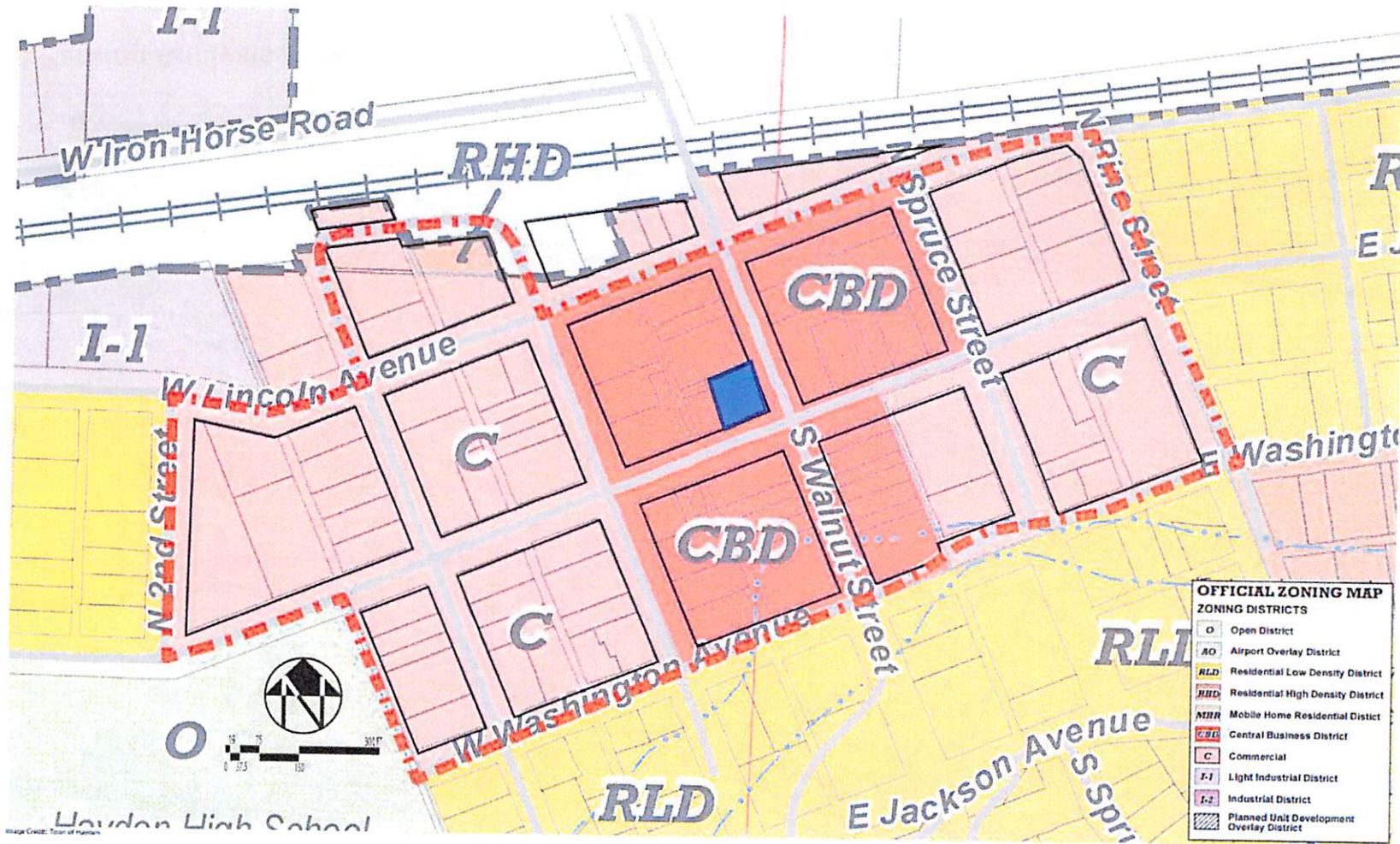
Colorado Center for Community Development

UTA

Downtown Parking Analysis

Zoning of Proposed Bear River Inn Location

Proposed location shown in blue



OFFICIAL ZONING MAP ZONING DISTRICTS	
	Open District
	Airport Overlay District
	Residential Low Density District
	Residential High Density District
	Mobile Home Residential District
	Central Business District
	Commercial
	Light Industrial District
	Industrial District
	Planned Unit Development Overlay District

2014 University of Colorado Denver

Downtown Zoning Map



Presented by:



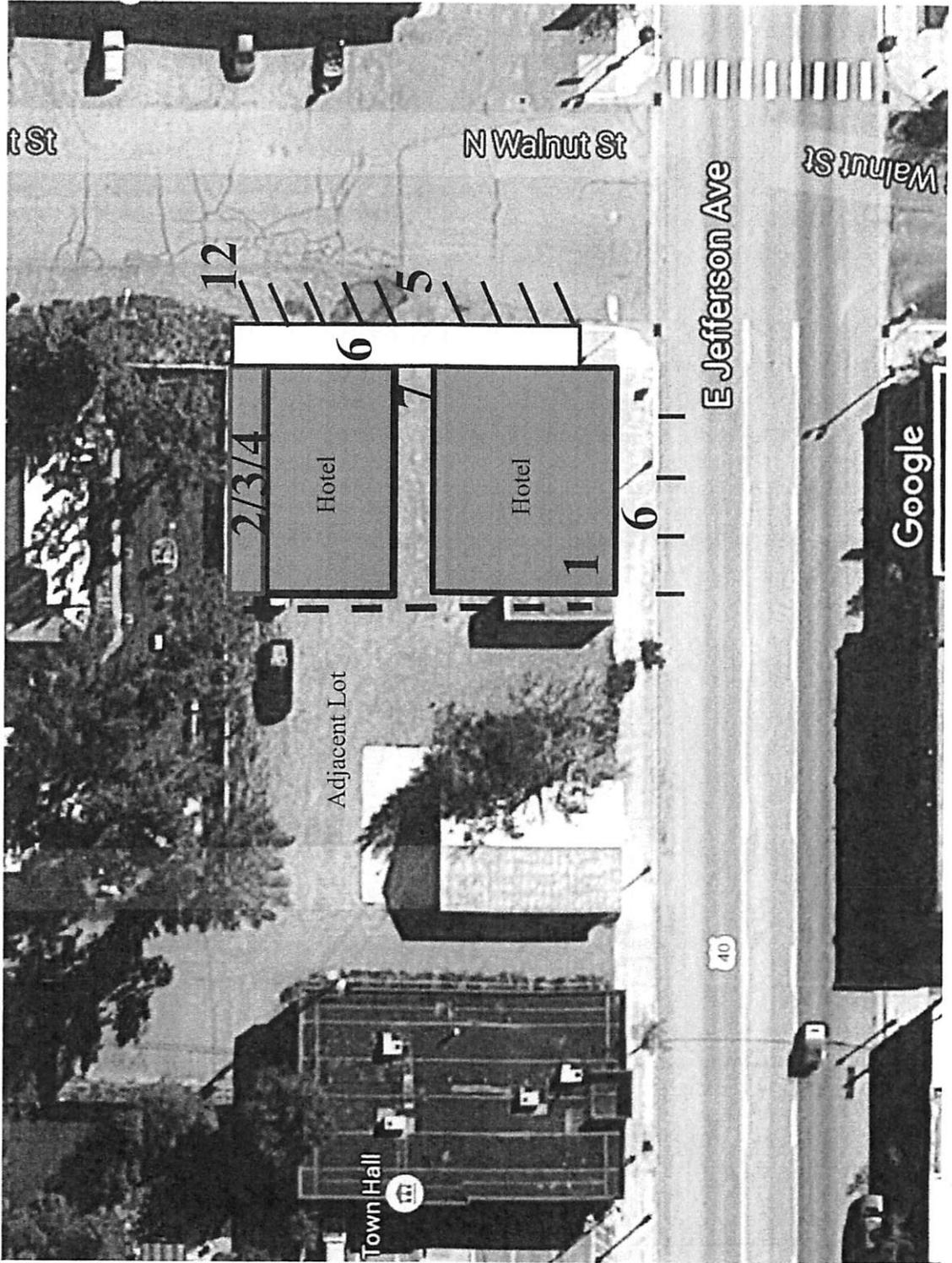
Colorado Center
for Community Development

UTA

Downtown Parking Analysis

Incompleteness Identification Map

Identified concerns and proposed improvements

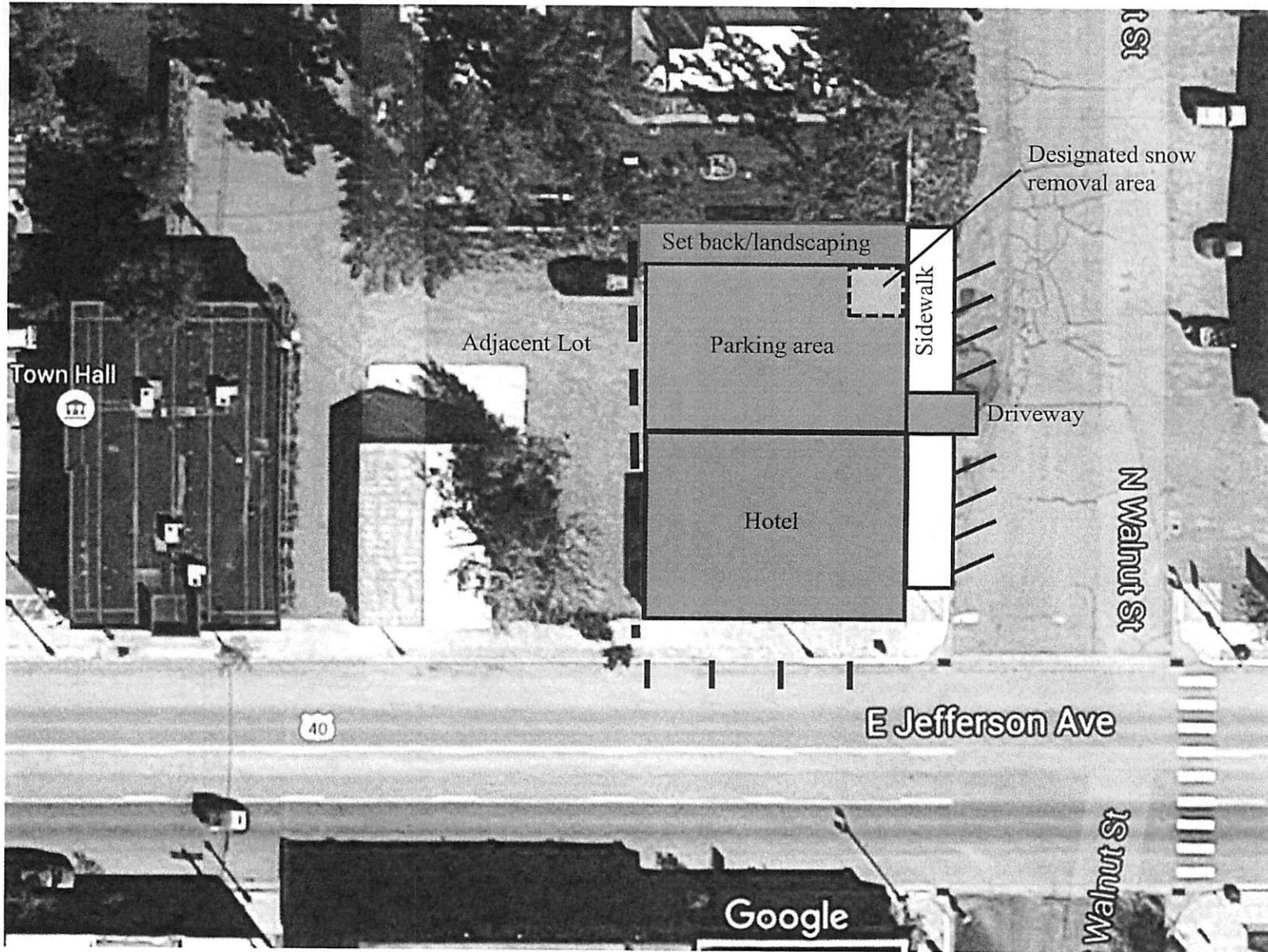


Incompleteness Identification Map

Overall changes are omitted from the map

Number	Revision
1	Bar use requires separate Conditional Use Permit before Site Plan approval
2	Comply with rear building setback 10'
3	Comply with rear property line utility easement of 10'
4	Provide rear landscape screening/buffering to abutting single family use- not to conflict with easements
5	Accommodate required parking of 40 parking spaces- on site parking and limited street side parking which requires removal/reconfiguration of building area
6	Provide adequate sidewalk widths
7	Provide a more accessible trash enclosure area to accommodate large dumpster containers
8	Provide a more complete Site Plan (not a building/architectural plan) per the Checklist
9	Provide separate building elevations
10	Provide a separate Landscape Plan as required with a Site Plan Review
11	Provide a separate Lighting Plan as required with a Site Plan Review
12	Provide snow removal/storage area
13	Distinguish building projections of 2nd floor

Staff Solutions Map



Parking in Hayden CBD

Proposed location shown in blue



Map of Parking Inventory

Parking in Hayden CBD

PARKING INVENTORY BY BLOCK

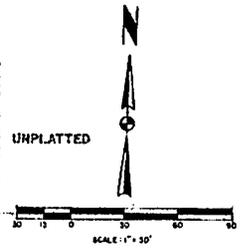
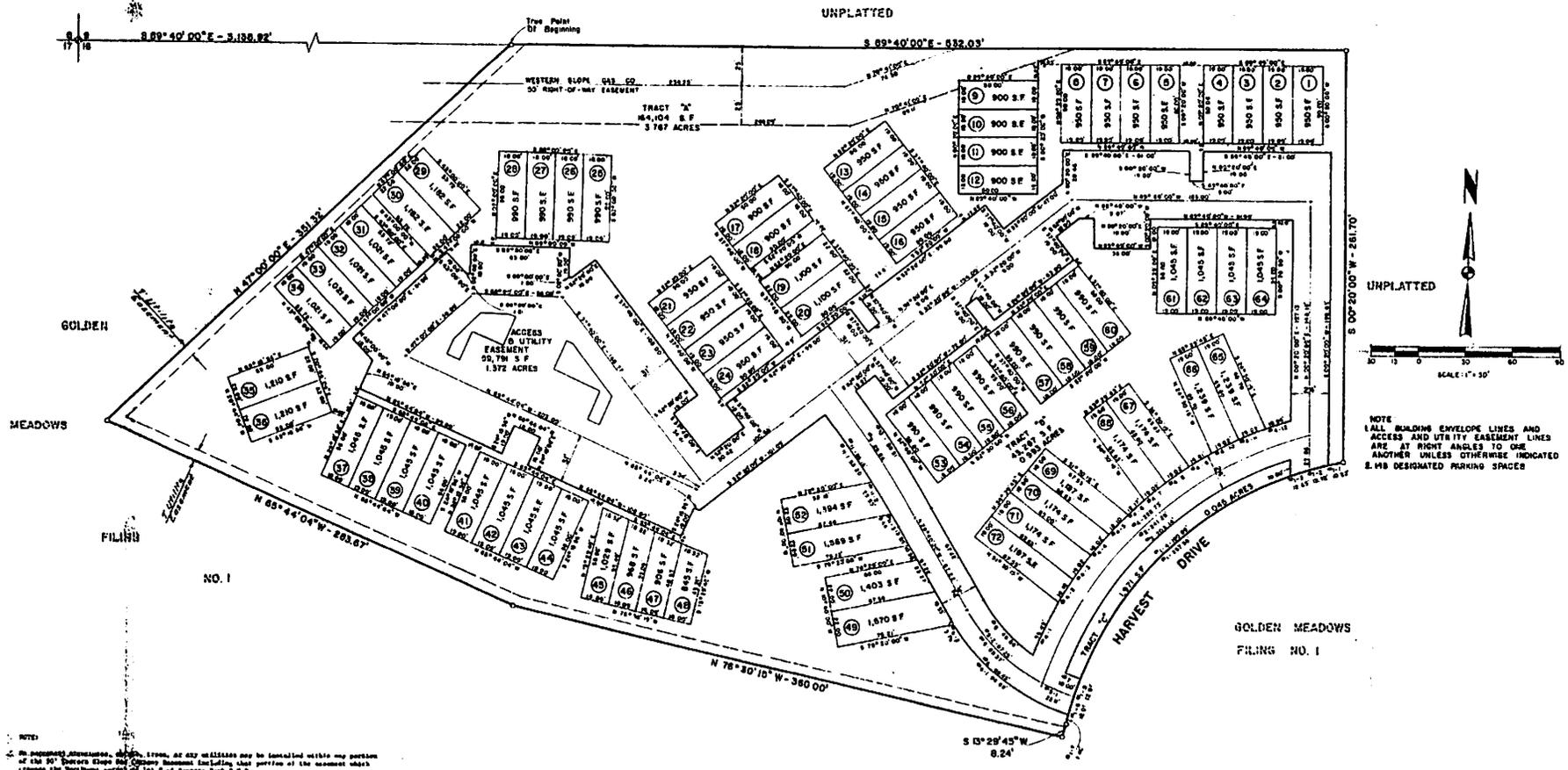
Parking Inventory by Block				
	Block	On-Street Capacity	Off-Street Capacity	Total Capacity
Between Pine Street and Spruce Street	1	25	8	33
	2	28	16	44
Between Spruce Street and Walnut Street	3	0	22	22
	4	40	22	62
	5	23	17	40
Between Walnut Street and Chestnut Street	6	8	0	8
	7	41	29	70
	8	43	11	54
Between Chestnut Street and Poplar Street	9	8	9	17
	10	26	33	59
	11	42	12	54
Between Poplar Street and 2nd Street	12	22	25	47
	13	10	0	10
Totals		316	204	520



8640
1052

A PLAT OF SONESTA PARK P.U.D.

A REPLAT OF LOT 1, BLOCK 1, GOLDEN MEADOWS FILING No. 1, SITUATE
IN THE NE 1/4, SECTION 16, T. 6 N., R. 88 W., 6th P.M.,
TOWN OF HAYDEN, ROUTT COUNTY, COLORADO



NOTE
 ALL BUILDING ENVELOPE LINES AND
 ACCESS AND UTILITY EASEMENT LINES
 ARE AT RIGHT ANGLES TO ONE
 ANOTHER UNLESS OTHERWISE INDICATED
 S.M.B. DESIGNATED PARKING SPACES

NOTE:
 In compliance with Section 17-101, C.R.S., all easements may be located within map portion
 of the 50' Denver Slope and Canyon Easement, including that portion of the easement which
 crosses the boundary corner of lot 9 of Sonesta Park P.U.D.

TANAPCO, SWANSON & TAYLOR
 CONSULTING ENGINEERS
 FORT COLLINS, COLORADO

Edw. M. 8640

SHEET 1 OF 2 SHEETS

120

8640 242

CURVE DATA

Table with columns for Station, Curve Data, and other survey parameters.

REMARKS

upon all and in these premises that the undersigned being the owner of the land described as follows: A certain lot in Block 1, Golden Meadow Subdivision...

considering the north line of the Northwest Quarter of said Section 16 as bearing south 89° 45' 00" East with all bearings contained herein contained relative thereto.

The above described tract of land is subject to any subdivision and easements as now of record. The plat for the construction, installation, erection, repair, maintenance, reconstruction, reconstruction and reinstallation of utility lines for water, gas, water, storm sewer, electric, telephone and any other utilities, to include routes for overhead lines drainage control, access or through easements designated as access easements or "Easement A", "B" and "C".

APPROVAL OF THE BOARD OF SUPERVISORS

I, Michael D. ... hereby certify that the above described plat was approved by the Board of Supervisors of the County of ... on this 24th day of July, 1981.



APPROVED BY THE BOARD OF SUPERVISORS: [Signature]

DECLARATION OF THE SURVEYOR

I, the undersigned, being duly qualified and sworn, depose and say that the above described plat was prepared by me or under my direct supervision and that such are accurate to the best of my knowledge.

Subscribed and sworn to before me on this 24th day of July, 1981, at the City of Golden, Colorado.

APPROVAL OF THE BOARD OF SUPERVISORS

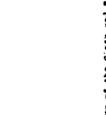
I, Michael D. ... hereby certify that the above described plat was approved by the Board of Supervisors of the County of ... on this 24th day of July, 1981.



APPROVED BY THE BOARD OF SUPERVISORS: [Signature]

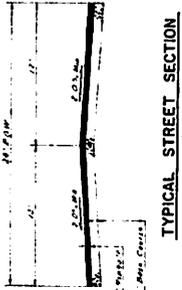
APPROVAL OF THE BOARD OF SUPERVISORS

I, Michael D. ... hereby certify that the above described plat was approved by the Board of Supervisors of the County of ... on this 24th day of July, 1981.

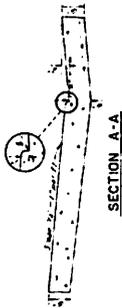


APPROVED BY THE BOARD OF SUPERVISORS: [Signature]

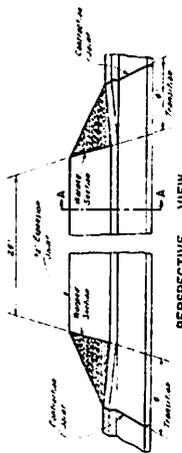
Supplemental Plat to Subdivision Plat No. 107/80



TYPICAL STREET SECTION
A-1-A



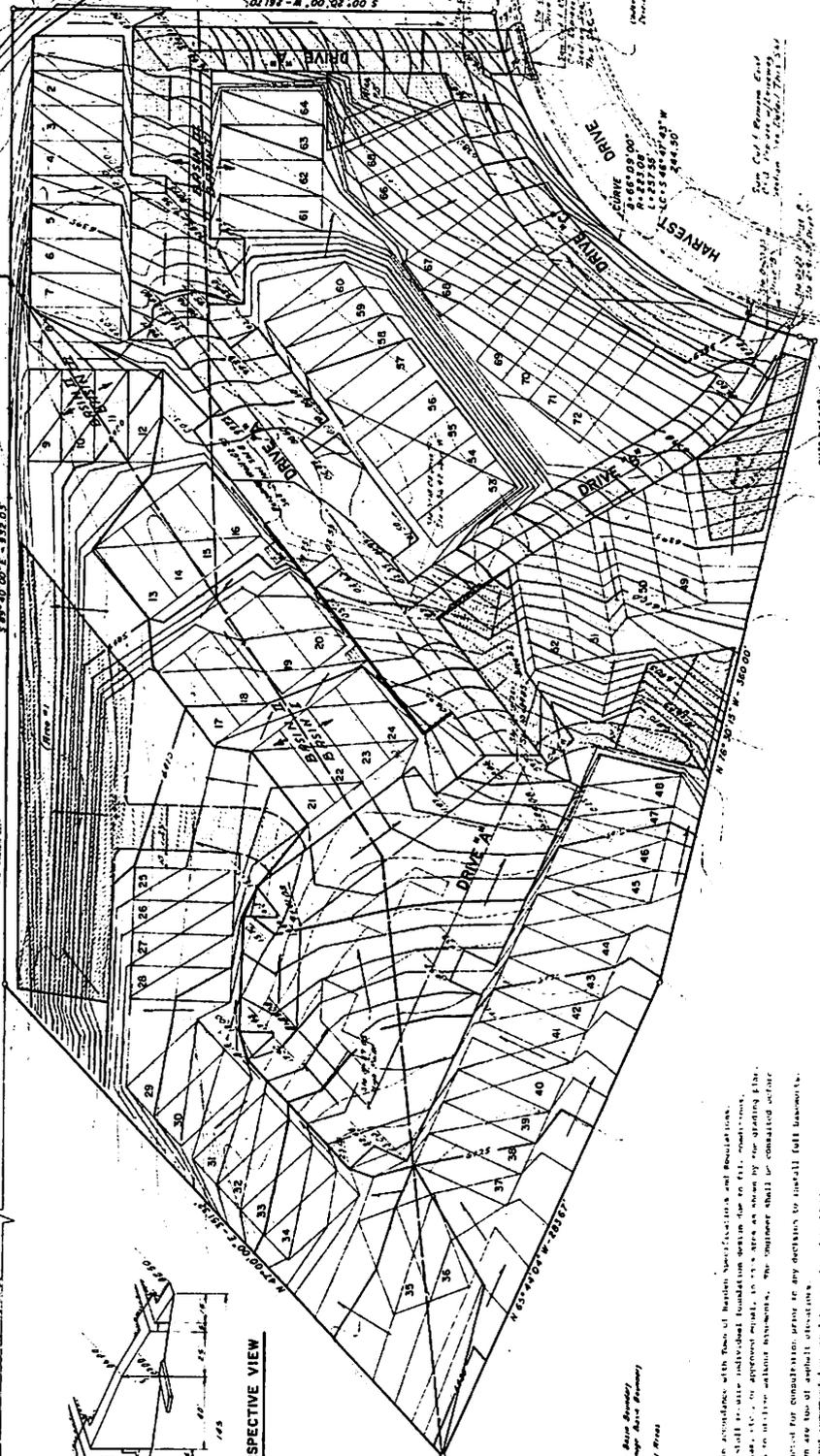
SECTION A-A



PERSPECTIVE VIEW

DRIVEWAY DETAILS
VERTICAL CURB & GUTTER

Department of Public Works
Engineering Division
Fort Collins, Colorado

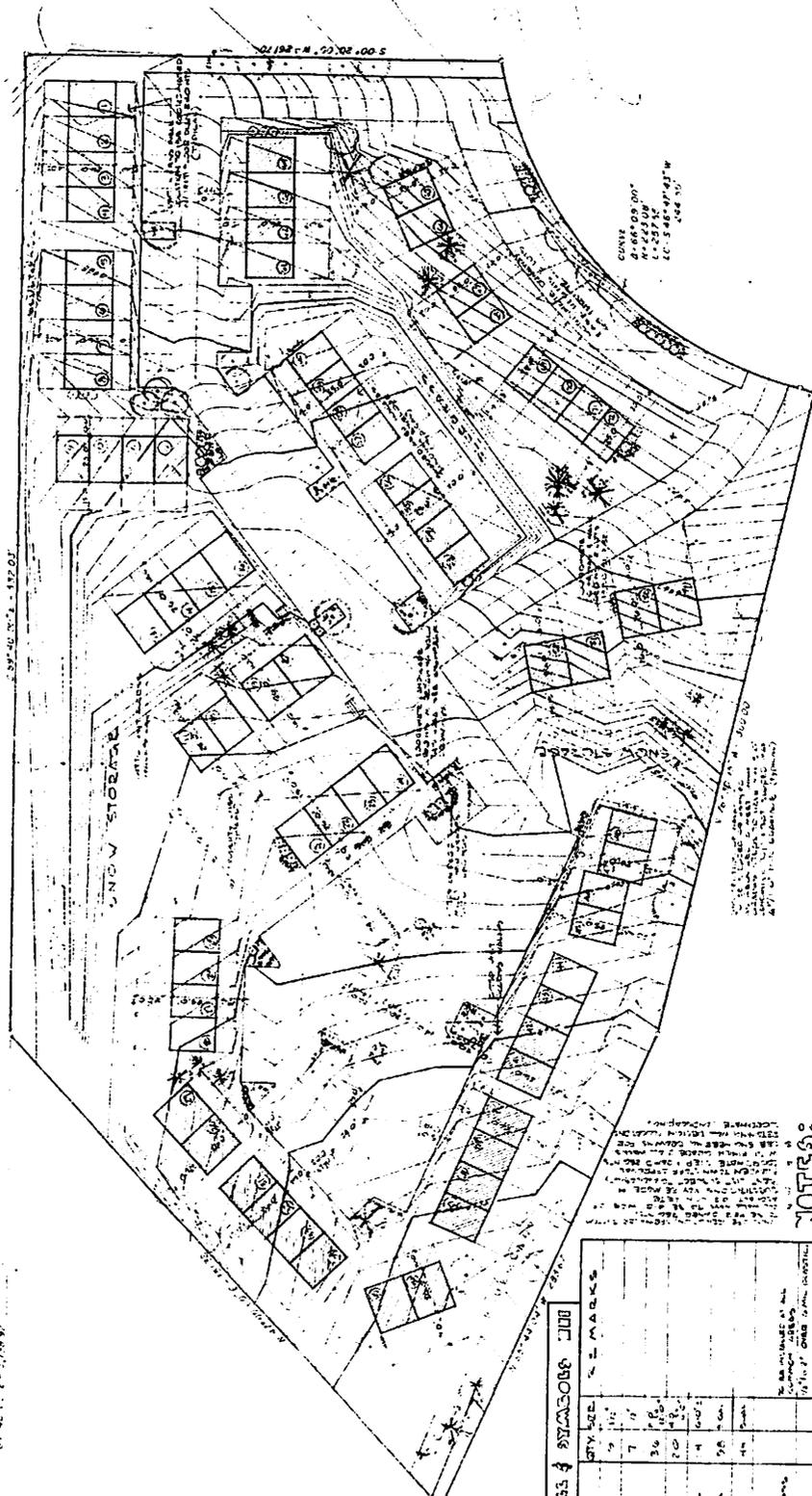


RETAINING WALL PERSPECTIVE VIEW

Legend
 --- Existing
 --- Proposed
 --- Proposed (to be removed)
 --- Proposed (to be added)

- GENERAL NOTES
1. All elevations based on 5000.00.
 2. All construction shall be in accordance with the City of Fort Collins, Colorado, and the State of Colorado.
 3. All utility lines shall be shown on this plan. All utility lines shall be shown in accordance with the City of Fort Collins, Colorado, and the State of Colorado.
 4. The Designer shall be responsible for obtaining all necessary permits for any construction shown on this plan.
 5. All drainage shall be shown on this plan.

DATE	DESIGNED	DATE	PROJECT NO.
SCALE	APPROVED		
TARANTO, STANTON & TAGGE CONSULTING ENGINEERS FORT COLLINS, COLORADO		SONESTA PARK P.U.D.	
GRADING PLAN		9 4	



LEGEND

SYMBOL	DESCRIPTION	QTY	SIZE	MARKS
(Symbol)	GREEN AS	7	12"	
(Symbol)	PLANTING	36	12"	
(Symbol)	PLANTING	20	12"	
(Symbol)	PLANTING	4	12"	
(Symbol)	PLANTING	28	12"	
(Symbol)	PLANTING	14	12"	

NOTES

1. ALL PLANTING TO BE INSTALLED BY THE CONTRACTOR.
2. PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER PLANTING SPECIFICATIONS.
3. PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER PLANTING SPECIFICATIONS.
4. PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER PLANTING SPECIFICATIONS.
5. PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER PLANTING SPECIFICATIONS.

REVISIONS BY: _____ DATE: _____ BY: _____ DATE: _____ BY: _____ DATE: _____	DRAWN: _____ DESIGNED: _____ DATE: _____ SCALE: 1/4" = 1'-0" APPROVED: _____ PROJECT NO. 03-00-00	TARANTO, STANTON & TAGGE CONSULTING ENGINEERS FORT COLLINS, COLO. PROJECT NO. 03-00-00	SONESTA PARK P.U.D. LANDSCAPE PLAN	SHEET 9 OF 9
--	--	---	---	---------------------------