

**TOWN OF BOW MAR, COLORADO  
BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING  
MARCH 26, 2015**

**CALL** The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, March 26, 2015, Mayor Rick Pilgrim presiding. The meeting was held at Columbine Valley Town Hall, No. 2 Middlefield Road, Columbine Valley, CO 80123. A quorum was declared present at 7:00 p.m.

<b>PRESENT</b>	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick
		Gary Guilford
		Carrie McLaughlin
		Anne Justen
		Jane Carlson
		Marsha Dennis
	Attorney	Jack Reutzel
	Clerk/Treasurer	Karen Reutzel
	Police Chief	Chief Bret Cottrell
	BMOI Rep.	Chris Murdy
	Public	None

**Public Comment** None.

**First Reading** - Variance request for a 30 ft. variance to the east side setback at 5230 Lakeshore (Ray) for the construction of a 2-1/2 ft. retaining wall. The owner of the home explained that the retaining wall is needed to resolve existing drainage issues on the lot. The retaining wall will direct water into a swale and away from the home and will be built as part of a major landscaping project. ACC has recommended approval of the variance because of the drainage issue. A public hearing will be held on this variance request at the Board's April 20 meeting after proper publication and posting.

**First Reading** – Three variance requests were introduced for 5215 Sky Trail (Harvey):

1. Request for a 32 ft. variance into the east side setback for the construction of a garden shed. The owner and landscape architect attended to discuss the plan. The proposed shed is will be 10 x 12 x 9, but could go as high as 11.5 ft depending on the model selected. The owner explained that the shed was desired for garden storage convenient to a new planned garden area and it should be shielded from view from the street by existing and planned new landscaping. Commissioner McLaughlin asked why an outbuilding is required for new construction and why storage was not provided by the new garage. The applicant owner stated that the garage space was required for vehicle storage, and the shed cannot be located within the building envelope without intruding on the entertaining space of the yard. The lot is relatively narrow. Locating the shed

elsewhere may block a neighbor's view. It was reported that the neighbors have signed off on the request. A letter from the ACC about the proposal was read into the record.

2. Request for a 20 ft. variance into the east side setback for the construction of an arbor in a new garden area. The arbor would be a decorative structure for the garden space to grow vines, with a gate for entry, and would include hedges on either side.
3. Request for a 28 ft. variance into the west setback, 33 ft. variance into the south setback, and 20 ft. into the north setback for the construction of a retaining wall, which would start at 4 feet and then tapering down to grade. The purpose of the wall is to create a flat level area in the rear yard because the house grade drops off dramatically towards the rear. The wall will also help prevent erosion. The owner reported that the wall will really only be visible from Marston Reservoir.

Public Hearings will be held for these variance requests at the April 20 Board meeting after proper publication and posting.

**Consent Agenda** – The Minutes of the Regular Meeting on February 16, 2015 were approved unanimously by motion. McKittrick/Dennis/Unanimous. The Treasurer's Report and payments made in February 2015 were approved unanimously by motion. Dennis/McLaughlin/Unanimous.

#### **Commissioner Reports:**

**Public Safety** - Public Safety Commissioner Gary Guilford and Police Chief Bret Cottrell reported there were 51 summons issued in February, with one 1 arrest and 13 calls for service in Bow Mar. Chief Cottrell said it had been one of the lightest months in memory until the day of meeting. That day, a resident apprehended a man trying to steal a bike out of an open garage that had been left open. One bike was recovered, but a second one was taken. There were conflicting reports from witnesses about the suspect(s). In addition, the previous evening there was a hit and run accident at Ridge Trail and Bow Mar Drive – the drivers fled the scene and abandoned the vehicle although it appears that the driver or passenger may have been injured in the crash. The police were trying to locate them. The police department is working with BMOI on Beach security for the summer.

**Finance** – Finance Commissioner Marsha Dennis reported that total revenues were 7% of the year-to-date budgeted amount, while expenditures were at 10%. General government expense was at 12% of budget, public safety 16%, parks and rec 2% and public works 4%. The total year-to-date operating deficit of \$22,829 and the net non-recurring income (building and road fees less expense) of \$3,518 results in a total year-to-date deficit of \$19,311. The Town always operates at a deficit at this time of year until property tax revenue starts to be received, mostly in the 2<sup>nd</sup> and 3<sup>rd</sup> quarters. Mayor Pilgrim noted that the deficit is actually less than budgeted. The February 2015 financial statements were approved unanimously by motion. McLaughlin/McKittrick/Unanimous.

**Building** – Building Commissioner Jane Carlson reported that \$20,733.15 in building permit fees were collected in February and \$9,842.70 in road impact fees. The fees included one new home construction, several remodels as well as smaller items. She told the Board that she has advised all contractors that very large construction trucks (especially those with trailers attached) must enter and exit Town at the Berry entrance to prevent damage to the traffic circles. Public Works Commissioner Merle McKittrick will look into getting construction entrance signs made.

**Parks & Recreation** - Parks & Rec Commissioner Carrie McLaughlin reported that this is a pretty slow time for her department. This spring she is planning to look at new lighting for the traffic circles and entrances. She may also be looking at a bid for more gravel at the entrance of Mary's Meadow and the entrance signs need to be maintained. There was discussion about potentially demolishing the old pumphouse on Pinyon for safety reasons. The question is how to preserve the well-head and then sell the pump equipment. Commissioner McLaughlin agreed to investigate these issues.

**Public Works** – Public Works Commissioner Merle McKittrick reported that snow plowing has been successful this year. A number of road signs that were knocked down have now been replaced. He is also looking at replacing some reflectors on the curve down Lakeshore. It was noted that there is a directional arrow sign down near Berry, which he will put on his list. He reported that the Homestead street sign – which was not repaired last summer – will be done this summer. There are some potholes popping up but he is just monitoring them for now as there will likely be more in the next month or so. A road cut on Bow Mar Drive was not replaced properly pursuant to the Town's standards for newly paved areas so he will contact the contractor.

**Intergovernmental** – Intergovernmental Commissioner Anne Justen reported that the Littleton City Council meeting last month concerned urban renewal. She said the Columbine Square development's blighted status was upheld by the Council, and it passed some sort of sales tax ordinance applicable to the site. There seems to be some lack of consensus about the project and some think it is a prime commercial site. The apartment proposal seems to be on hold for now. Littleton's urban renewal measure passed resoundingly. She reported on the proposed CDOT proposal to expand I-70. She also attended last month's BMOI meeting.

**Clerk Comments** – Town Clerk Karen Reutzel reported that the next Regular Meeting of the Board will be held on April 20, 2015. The annual audit of the Town finances has begun and Town's insurance policies are up for renewal on April 1. She reported that we do not have a quote for the new policies yet but is not expecting anything other the normal small premium increases we have seen in recent years. By motion, the Board authorized her to renew the Town insurance coverages for an amount not to exceed \$7,000 consistent with the 2015 budget without further Board approval. McLaughlin/Justen/Unanimous. The Municipal Code supplement should be concluded by the end of the month. She asked the Board to provide direction on the remaining \$3,867.10 left in the Mary's Meadow bond fund account now that the bond and all related expenses have been paid. The Board had the option to contribute it to the Capital Improvement Road Fund or to move it to the Operating Fund. A Motion was made and

unanimously approved to move the money to the Operating Fund to potentially pay for removal of the pump house. Carlson/Guilford/Unanimous. She reported she had a phone conversation with the DRCOG mapping department who is seeking information from the Town for their GIS project and she asked about the availability of aerial mapping, which has been of interest to the Town. DRCOG will provide 2012 aerial mapping to the Town at no charge, which may also be useful to the consultants preparing the Comprehensive Plan.

**Attorney Comments** - Town Attorney Jack Reutzel reported that the owner of the Bridal Path is taking steps in anticipation of potentially donating that property to the Town. He also reported on discussions he had with a representative of the owner of the Historic King Farm about proposed revisions to the Agricultural zone district in anticipation of rezoning that property Agricultural. Commissioner Carlson asked if the property owner would be willing to come and discuss their proposal with the Board. Mayor Pilgrim commented that is an appropriate request and he would like to see a formal proposal made by the property owner before the Board proceeds further.

**Mayor's Report** – Mayor Pilgrim reported on a request from Mayor Steve Hogan of Aurora for the Town to make a formal declaration of support for Aurora's Gaylord project. The matter was deferred to New Business. He also brought up a request for the Town's involvement as an affiliate member in the West Connect coalition that will be working on roadway issues in the Northwest quadrant. Jefferson County, Arvada, Broomfield, Golden, Lakewood, and Morrison are all members. It was agreed that Bow Mar's interest is too remote and there is no need to be involved with the Coalition.

**BMOI Report** – BMOI President Chris Murdy reported that the Winter Dance was a success this year and he commended Commissioner McLaughlin's selection committee on the King Scholarships. BMOI has its usual seasonal issues underway. There are two openings on ACC. BMOI has a formal proposal from a law firm to update the bylaws for \$5,000. They are continuing to investigate the marina improvements plan. The Board asked questions about the revised beach party rental fees.

### **Old Business:**

#### Discussion of Work Plan and Timelines for Proposed Annexation of Southwest Plaza Mall and Committee Reports –

Mayor Pilgrim reported that Town Committee work has been ongoing to develop the terms and conditions that will be required of the applicant. Because of this work, there was limited progress with regard to the applicant GGP in the past month. There has been correspondence, but GGP would like the Town to negotiate a deal with Jefferson County and complete the investigation of the proposal through our committees before proceeding further with other annexation matters. Mayor Pilgrim reported that regardless, the statutorily required "determination of substantial compliance" (in which the Board finds that the application meets the technical requirements of the statute and triggers other statutory deadlines) needs to happen in April in order to stay on schedule, which will put

the Public Hearing on the annexation applications in the middle of July. That schedule would allow the residents to understand the proposal by August in ample time for a November election. He noted that the Town also needs to be corresponding with GGP about the renewal of the escrow account. He stated that overall the Town needs to conclude its due diligence one way or the other within the next 60 days. Town Attorney Reutzel reported that he met with the Jefferson County Manager and a representative from the County's Attorney's office during the past month. He said the key to negotiating the IGA is for the Town to determine what the cost will be to provide services that we want the County to provide. We have numbers from GGP and their consultant, which is being reviewed by our financial consultants. Once the Finance Committee is comfortable with the numbers, he can go back to Jefferson County and negotiate about how the arrangement would work. Commissioner Dennis noted that she would like to join a retail group which will give her access to shopping center financial data and allow her to double check GGP's numbers. The Finance Committee would also like Jefferson County to provide a schedule for anticipated Bowles maintenance and improvements over the next 10 years and to understand what the County has reserved for those projects. The committees are also looking into law enforcement and how that might work, which is a complicated issue because multiple jurisdictions intersect at Bowles and Wadsworth and Wadsworth is a state highway. Allen Gerstenberger has been assisting with all of this analysis. He reported they are looking at outside costs to double check some of the cost estimates, and has met with a public works contractor who works for Centennial and Lone Tree. Mayor Pilgrim will be talking with Jefferson County Commissioner Don Rosier later this month.

Discussion and Possible Board Action to Renew Contract with Republic Services for Trash Collection – Commissioner Justen requested this item be deferred to April.

Discussion Regarding Road Improvement Plan and Proposed 2015 Improvements and schedule Possible Board Action Regarding Engineering Work Orders for the Project –

Commissioner McKittrick reported the Board held a study session last month about the Town Engineer's recommendations for proceeding with the phasing of the road improvement plan. At the work session, the Board confirmed the phasing plan as recommended by the Town Engineer without modification. A Motion was made and unanimously approved to endorse the 9-year road plan as recommended by Bowman/VLC, subject to additional information obtained in the future. McKittrick/Guilford/Unanimous. Commissioner McKittrick reported that this year's project will include Homestead and the Sheridan Circle and will be done in the dry part of summer. A Motion was made and unanimously approved to authorize the fee to Town Engineer Bowman/VLC for the preparation of the 9-year plan in the amount of \$8,200.00. McKittrick/Dennis/Unanimous.

Report on Initiation of Comprehensive Plan Development Process – Commissioner Justen reported that the first meeting to kick-off the Comprehensive Plan process was held on March 2, with the Town Board, BMOI Board and Community Matters, Inc (CMI) participating. 120 names were submitted to CMI for interviews by the Town and

BMOI Boards. CMI is also working on a questionnaire for residents, and on mapping and data collection, including collecting old photos and artifacts from the past. CMI is also planning to interview focus groups (such as the Monday Club, one of the Garden Clubs, Blackouts and the Yacht Club) as part of the process. Minutes will be posted on the website.

Discussion and Possible Board Action Concerning Proposed Drainage Improvements at Sheridan and Longhorn - Commissioner McKittrick asked the Board to authorize a work order for Bowman/VLC to investigate and determine options for resolving drainage issues on Sheridan in the amount of \$15,450 for time and material. The Board unanimously approved the Motion. McKittrick/Dennis/Unanimous. Commissioner McKittrick noted that the project has been begun, but is not finalized. The services will result in drainage alternatives which could then be put together into a bid set for bidding.

**New Business:**

A motion was made and approved to express the Town's support of Aurora's Gaylord project in order to support Mayor Pilgrim as a member of the Metro Mayor's Caucus.

**Adjournment** - There being no further business the meeting was adjourned at 8:59 p.m. Guilford/Carlson/Unanimous. The next Regular Meeting is scheduled for April 20, 2015 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.

  
Richard D. Pilgrim, Mayor

  
Karen V. Reutzel, Town Clerk