

Town of Silverton
Regular Meeting
May 9, 2016

**TOWN OF SILVERTON
MINUTES OF THE BOARD OF TRUSTEES
REGULAR MEETING
May 9, 2016**

CALL TO ORDER:

The regular meeting of the Board of Trustees, which was properly posted, was called to order by Mayor Chris Tookey @ 7:38 PM at the Silverton Town Hall.

Mayor: Christine M. Tookey
Trustees: Malcolm MacDougall, Tiffany deKay, Barbara Renowden, and Jess Wegert.
Maisel and Gallegos are absent.

Staff: Michelle Hamilton, Bob Nevins

Administrator: Bill Gardner was absent

Others: Please see sign-in sheet

I. Staff and/or Board Revisions to Agenda: Town Clerk, Michelle Hamilton added three payments to accounts payable, and a liquor license renewal application for Handlebars to the consent agenda.

II. Public Comment: Judy Graham said we have 5.9% of houses in the weekly rental category. There is not much of a relationship between affordable housing and weekly rentals. Less is more. She asked: Should we be regulating small operations or should we be business friendly? She said she would like to suspend the moratorium and go back to the old Ordinance.

City/County Planner, Bob Nevins, stated that tonight is not a Public Hearing. He said that if the Board directs staff to go ahead, the Ordinance will be published in the paper and then the first reading/public hearing will be at the next meeting. The second reading would then be June 13th.

Cassandra Roof asked why business owners are being discouraged to talk.

The Mayor replied that this is for the Trustees to discuss after a four hour work session where they worked out details last Monday.

Trustee MacDougall reiterated that there will be 2 public hearings.

Cassandra Roof asked that the Board please consider vacation homes in the residential area as a separate issue than those in the BP zone.

Mike Holt said he understands that the Board is moving into a preliminary draft, and so maybe the public can offer input. He said that he has lost track what the purpose of this Ordinance is. He claimed that now it is offset payroll for town staff. 5% are vacation rentals. 10% of homes are boarded up and uninhabited. Why not maximize the resources of

Town of Silverton
Regular Meeting
May 9, 2016

540 people rather than penalize 30 people? He thinks the Town should lift the moratorium for a time and open up beds.

Rob Roof commented in regards to vacation rentals in the BP. He said maybe it's time to throw this one away and start over at the beginning. He is a proponent of vacation rentals in the Residential District. Telluride allows 29 days to rent their homes out.

Austin Lashley also said that he is a proponent of vacation rentals in town. He has two properties in the BP zone. He mentioned that for a lot of us, these are not cash cows. They are ways for us to afford the high property taxes and the high utility bills. He said he thinks the board has a pretty good handle on long term vs vacation housing.

III. Appointments:

1. Casey Carroll – Antique Car Show

Mrs. Carroll is representing the 4th annual antique car show breakfast and parade. The event will be held from 8:30am to 4pm and include camping at Kendall on June 23-25. She asked for permission to Block off 11th to 13th. She is also asked for the Board's blessing for Step Back in Time Sept. 16-18.

Trustee MacDougall motioned to direct the Special Event Coordinator to work with Casey Carroll on the antique car show from June 23-25. The motion passed unanimously with a roll call vote.

IV. Consent Agenda

- A. Payroll, Accounts Payable, Meeting Minutes from 4/25/16
- B. Liquor License Renewal - Handlebars

Trustee MacDougall motioned and Trustee Wegert seconded to approve the Consent Agenda. The motion passed unanimously with a roll call vote.

V. Trustee Reports

Mayor Tookey mentioned the regional CML conference coming on May 18th.

Trustee deKay asked about the schedule. Mayor Tookey reviewed the schedule for the rest of the month as: CML on the 18th and Town Board Retreat on the 21st. Town clean-up is on the 20th and the 23rd is a regular meeting.

Blair Runion clarified that Public Works will take the garbage to the dump so residents should bring trash to Town Hall. She stated that this is not free dump day, it is a clean-up day. She said that the kids at school are volunteering.

Trustee Renowden mentioned that she contacted Bruin and they confirmed that rates will not go up for the town. She was hoping it would be in the newspaper.

Trustee MacDougall mentioned that he went to an RMLA ski lift conference. He explained the agency, which operates under DoRA.

VI. Unfinished Business

Town of Silverton
Regular Meeting
May 9, 2016

A. Letters of commitment for US EDA grant

Trustee MacDougall motioned and Trustee Wegert seconded to approve the letters of commitment for the US EDA grant with authorization for the Mayor to sign. The motion passed unanimously with a roll call vote.

Discussion: Trustee Renowden asked if the town is giving a total of \$10,000. The Mayor informed her that the Town is giving \$5,000 and office space. She said that Laura from Region 9 and Silverton Stakeholders are spearheading it.

B. CSB Signature Cards – The designated signers signed all of the account signature cards.

VII. New Business

A. Ordinance 2016-04 Re-establishing Municipal Regulations Concerning the Use of Residential Property

Discussion: Bob reminded everyone that the Board and staff started this thing on May 4, 2015. He said that they have been working on this for over a year. We are incorporating what we have heard over the past year to meet everyone's expectations and outcomes. He said that he would like to hear the Board's input, so he can publish it and allow a public hearing. He said that the really can't make modifications until they begin the public process. He pointed out that they are not proposing a cap or density. He said they are trying to better define what the expectations are and allow the use and need to take care of itself. He acknowledged that there are some problems with the way the code is written. He empathized with the frustration of people in the BP district. He said that part of the issue is differentiating the definition of vacation homes, bed and breakfast and hotel/motels. Trustee MacDougall commented that he likes how Bob separated vacation rentals and vacation homes. He thinks a home in the BP zone should be able to decide whether they are a vacation home rather than a vacation rental, giving them a choice of whether they want to pay the higher fees. He said that he worries that the wording of the vacation home is creating a hotel without following the commercial building regulations. He said that he can build a 7 bed and 7 bath "home" in the BP under residential building code, and then get a "vacation home" designation. Bob replied that the definitions under 72 protect from SFR's to rent nightly. Trustee MacDougall pointed out that it doesn't protect multi-family dwellings from operating as a hotel. He felt that it may be that is a question for the attorney. Trustee deKay questioned the fees. Bob assured her that the numbers are a starting point. Again he said that staff is welcoming input from the Board. Trustee deKay said that they want to encourage more commerce to take place in the BP, so do we penalize them? She asked why they would increase fees if they are trying to encourage commerce in that zone. Trustee MacDougall stated that the Code Enforcement Officer spent most of the summer last year on vacation rentals. Bob mentioned that under the new Ordinance, vacation rentals would still go through the same process except that it would be done at an administrative level. It would still allow public comment. He mentioned that they have heard a lot from those who want vacation rentals lately, but not from residents who want to have a home that is not surrounded by transients. Trustee deKay said that there are 11-12 that are in the BP. Bob thinks it would benefit the BP zone because it would encourage people to clean up their properties. He also pointed out that they have the opportunity to have second homes with

Town of Silverton
Regular Meeting
May 9, 2016

lights on rather than second homes that are in the dark. He said that other communities have outlawed or capped vacation rentals. We have tried to create an Ordinance that fits our community. Trustee deKay asked what would happen if someone wanted to rent by the month. Bob said that if they rent beyond 30 days, we can no longer collect a lodging fee. He reminded her that they had that issue where vacation rentals in town were renting for over 30 days and then owners are saying that they don't need to collect the lodging fees. Bob asked the Board and public to also remember that they backed away from collecting any personal info from guests. Trustee MacDougall thinks the owners of the vacation rentals should be required to have the personal info of their guests from a law enforcement perspective. Bob replied that yearly inspections have been ensuring safety.

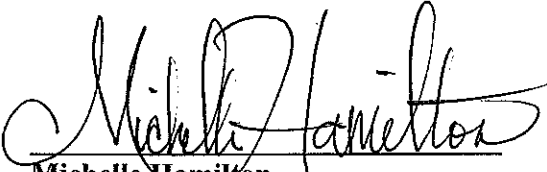
Mayor got Board approval of a public hearing for Ordinance 2016-04 Re-establishing Municipal Regulations Concerning the Use of Residential Property on May 23rd, by a show of hands.


B. Resolution 2016-01 Vacation Rental Fees

Discussion: Bob reiterated that the fees are a separate issue even though they are part of the overall plan. He said that the public hearing will be for the first reading of the Ordinance and then on the second reading, they can discuss the fees and pass the Resolution. The Mayor encouraged the public to address the City/County Planner regarding any issues or input they have, rather than the Trustees. Trustee MacDougall stated that anyone can come to him for anything.

The Board agreed to have another financial meeting before regular meeting on May 23rd at 6:30 p.m.

VIII. Adjourn: 8:49


Michelle Hamilton
Town Clerk/Treasurer


Christine M. Tookey
Mayor