

TOWN OF COLUMBINE VALLEY
BOARD OF TRUSTEES MEETING
September 15, 2015

A G E N D A

- | | |
|---|---|
| 1. ROLL CALL | 6:30PM |
| 2. PLEDGE OF ALLEGIANCE | |
| 3. APPROVAL OF MINUTES
August 18, 2015 | Mayor Christy |
| 4. CITIZENS CONCERNS
Columbine Country Club
HOA Representatives
Public At-large | Mayor Christy |
| 5. MAYOR'S COMMENTS | Mayor Christy |
| 6. POLICE DEPARTMENT REPORT | Chief Cottrell |
| 7. TRUSTEE REPORTS:
Building Commissioner
Planning & Development
Public Safety
Public Works
Special Affairs
Finance
Town Administrator | Trustee May
Trustee Best
Trustee Menk
Trustee Newland
Trustee Champion
Trustee Cope
Mr. McCrumb |
| 8. OLD BUSINESS
Trustee Bill #10, Series 2015 Solicitation Fees | Mr. Schiller |
| 9. NEW BUSINESS
Amendment to Land Use Regulation | Mr. Sieber |
| 10. EXECUTIVE SESSION
Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS 24-6-402(4)(b) and to review minutes of August 18, 2015. | |
| 11. ADJOURNMENT | |

TOWN OF COLUMBINE VALLEY
BOARD OF TRUSTEES
Minutes
August 18, 2015

Mayor Christy called the Board meeting to order at 6:30 p.m., in the Conference Room at the Town Hall at 2 Middlefield Road, Columbine Valley, Colorado. Roll call found the following present:

Trustees: Gale Christy, Dave Cope, Jeff May, Richard Champion, Bruce Menk,
Jim Newland, Mark Best
Absent:
Also present: J.D. McCrumb, Lee Schiller, Bret Cottrell, Phil Sieber, and Brent Kaslon

MINUTES: The minutes of the July 21, 2015 meeting were approved

CITIZEN CONCERNS: Michael Bratcher, General Manager of Columbine Country Club provided a brief update on the forthcoming Club renovation.

No other citizens were in attendance.

MAYOR'S COMMENTS: Mayor Christy introduced Marilyn Meister, new Alternate member of the P&Z to the Trustees. Mayor Christy also updated the Trustees on two items presented at the Metro Mayors Caucus; a push to get municipalities to allocate funds to subsidize landlords who offer low income housing, and a committee looking to place issues on the State ballot in November recommending changes to the CO constitution. Neither issue was being recommended by the Mayor for any action.

POLICE DEPARTMENT:

- Chief Cottrell presented the attached report for June 2015
- Chief Cottrell reported that the search for a new officer continues with few qualified candidates
- Chief Cottrell reported that the new video training system was operational
- Chief Cottrell discussed a possible news story regarding required SRO training

TRUSTEE REPORTS:

Building Commissioner: Trustee May presented the attached report

Planning and Development: Mr. Sieber presented an update to the Board on all current and anticipated projects. The written update is included with the Board packet in records

Public Safety: Trustee Menk noted that the CCC had done a good job responding to issues brought to the Towns attention several months ago

Public Works: Trustee Newland reported that work is ongoing and scheduled for completion in mid-September

Special Affairs: Trustee Champion had no report

Finance: Trustee Cope reported that financials were not available due to timing

Town Administrator: Mr. McCrumb presented the attached report

OLD BUSINESS:

- **Trustee Bill #4, Series 2015 Solicitations (2nd Reading):** Mr. Schiller presented to the Trustees the need to change the way solicitation is regulated in Columbine Valley due to changing interpretations of the law by state and federal courts.
 - **ACTION: upon a motion by Trustee Menk and a second by Trustee Cope, the Board of Trustees unanimously approved Trustee Bill #4, Series 2015 on 2nd Reading.**

- **Cut Through and Speed Study Results:** Mr. McCrumb presented the results of the commissioned survey to the Trustees.
 - **ACTION: no action was required**

NEW BUSINESS:

- **Trustee Bill #10, Series 2015 Solicitations (1st Reading):** Mr. Schiller presented to the Trustees the need to increase the fees for solicitation permits in Columbine Valley.
 - **ACTION: upon a motion by Trustee Menk and a second by Trustee Newland, the Board of Trustees unanimously approved Trustee Bill #10, Series 2015 on 1st Reading.**

- **Willowcroft Minor Amendment:** Mr. Kaslon presented to the Trustees his report regarding a minor amendment to the recorded Plat and Plan of Willowcroft Manor. The Trustees asked a few clarifying questions.
 - **ACTION: upon a motion by Trustee Best and a second by Trustee May, the Board of Trustees unanimously approved the 1st Willowcroft Administrative Amendment for Willowcroft Manor and minor re-subdivision as presented.**

- **CCC Combined Approval Process:** Mr. Sieber presented to the Trustees his request that the preliminary and final approval process for the forthcoming Country Club remodel be combined due to the simple scope of the project. The Trustees asked clarifying questions of Mr. Sieber and Mr. Bratcher then discussed the merits of a combined process.
 - **ACTION: The Trustees took no action on this issue but asked that the item be placed on the September agenda for further consideration.**

- **Study Session set for Tuesday, September 8, 2015:** Mr. Schiller invited the Trustees to attend a P&Z study session set for September 8 to hear a presentation on metro districts.
 - **ACTION: no action was required**

- **Purchase of PD Body Cameras:** Chief Cottrell presented to the Trustees his request for funds to purchase body cameras for the CVPD. This was a follow up action to a Trustee discussion at the July meeting.
 - **ACTION: upon a motion by Trustee Menk and a second by Trustee Cope, the Board of Trustees unanimously approved \$8,000 for the purchase of the equipment and software.**

EXECUTIVE SESSION: Upon a motion by Trustee Champion and a second by Trustee May, the Board unanimously approved entering into executive session at 8:23 p.m. to conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS 24-6-402(4)(b).

RETURN TO THE RECORD: The Board returned to the record at 8:39 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:40 p.m.

Submitted by,
J.D. McCrumb, Town Administrator

** All reports and exhibits listed "as attached" are available on the Columbine Valley web site and by request at Town Hall, 2 Middlefield Road.*



BUILDING COMMISSIONER'S MONTHLY REPORT

15-Aug

ADDRESS	PERMIT	PL REV	TAX	OS	TOTAL
22 Village Ct Sewer Line Repair	\$142.15	\$0.00	\$67.50	\$5.63	\$215.28
1 Middlefield Rd. Install AC	\$159.70	\$0.00	\$81.80	\$6.80	\$248.30
4 Brassie Way Instrall Paver Pation	\$684.05	\$444.63	\$587.30	\$48.94	\$1,764.92
13 Arabian Pl. Install Water Heater	\$124.60	\$0.00	\$59.51	\$4.96	\$189.07
20 Birdie Lane Install Water Heater	\$107.05	\$0.00	\$37.59	\$3.13	\$147.77
3 Wilder Lane SFR	\$4,247.90	\$2,761.14	\$7,950.00	\$662.50	\$15,621.54
6 Club Lane Relace Water Heater	\$65.50	\$0.00	\$20.25	\$1.69	\$87.44
4 Brassie Way Install Gas Line	\$69.50	\$0.00	\$21.27	\$1.77	\$92.54
48 Brookhaven Replace AC	\$177.25	\$0.00	\$102.75	\$8.56	\$288.56
5 Spyglass Kitchen Remodel	\$1,011.80	\$657.67	\$1,086.15	\$90.51	\$2,846.13
				Total	\$21,501.55

<u>Building Revenue</u>	<u>2014</u>	<u>2014 YTD</u>	<u>2015</u>	<u>2015 YTD</u>
January	\$21,355.02	\$21,355.02	\$14,742.95	\$14,742.95
February	\$11,064.70	\$32,419.72	\$18,825.38	\$33,568.33
March	\$16,061.56	\$48,481.28	\$50,783.31	\$84,351.64
April	\$11,051.71	\$59,532.99	\$74,019.44	\$158,371.08
May	\$5,801.62	\$65,334.61	\$6,985.21	\$165,356.29
June	\$28,682.64	\$94,017.25	\$47,356.29	\$212,712.58
July	\$71,043.28	\$165,060.53	\$38,156.89	\$250,869.47
August	\$2,146.10	\$167,206.63	\$21,501.55	\$272,371.02

TOWN OF COLUMBINE VALLEY
 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
 JULY 31, 2015

	Totals	
Assets	July 31, 2015	December 31, 2014
Cash and investments	\$ 1,631,445	1,315,856
Other receivables	74,348	80,048
Property taxes receivable	3,717	307,035
Property and equipment, net	2,054,790	2,054,790
	\$ 3,764,300	3,757,729
Liabilities and Equity		
Liabilities:		
Accounts payable	\$ 23,749	17,569
Accrued liabilities	19,307	19,541
Deferred property tax revenue	3,717	307,035
Capital lease payable	-	-
Fund balance:		
Reserved - TABOR emergency	40,681	40,681
Conservation Trust	17,327	19,976
Arapahoe County Open Space	291,334	260,596
Unavailable - Fixed assets net of outstanding long term debt	2,054,790	2,054,790
Unreserved	1,313,395	1,037,541
Total equity	3,717,527	3,413,584
	\$ 3,764,300	3,757,729

TOWN OF COLUMBINE VALLEY
 COMBINED STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE
 ALL GOVERNMENTAL FUND TYPES
 BUDGET AND ACTUAL
 SEVEN MONTHS ENDED JULY 31, 2015 AND 2014

Revenue	July Totals		Seven Months Ended July 31, 2015		
	2015	2014	Budget	Actual	Variance
Taxes:					
Property taxes	\$ 4,445	-	300,000	303,318	3,318
Specific ownership taxes	1,971	-	11,648	13,776	2,128
Sales and use tax	61,505	60,280	233,331	313,044	79,713
Utility franchise fees	150	3,510	28,000	24,223	(3,777)
Cable television	860	500	12,500	13,428	928
Permits and fines:					
Permits, fees and services	16,126	74,977	64,169	104,244	40,075
Fines	5,201	6,250	52,500	48,057	(4,443)
Intergovernmental:					
Bow Mar IGA	-	62,695	191,846	191,846	-
State highway user's tax	4,667	3,756	26,250	26,751	501
County highway tax revenue	-	-	10,800	11,568	768
Motor vehicle registration fees	521	500	2,919	3,065	146
State cigarette tax apportionment	52	54	294	367	73
Conservation Trust Fund entitlement	-	-	3,000	3,332	332
Arapahoe County Open Space shareback	-	-	27,000	30,555	3,555
Interest income	322	105	1,456	745	(711)
Other	231	19	13,181	11,846	(1,335)
Total revenue	96,051	212,646	978,894	1,100,165	121,271
Expenditures					
Current:					
Public safety	45,936	44,826	388,760	365,339	23,421
Sanitation	5,613	5,613	40,831	39,290	1,541
Administration	32,837	25,362	247,726	244,519	3,207
Planning and zoning	(92)	4,353	23,331	40,517	(17,186)
Public works	6,425	16,971	223,750	53,624	170,126
Other - rounding	-	-	-	(1)	1
Capital lease:					
Principal	-	-	-	-	-
Interest	-	-	-	-	-
Capital outlay					
Capital expenditures	7,650	-	39,000	46,934	(7,934)
Conservation Trust Fund expenditures	-	-	6,000	6,000	-
Total expenditures	98,369	97,125	969,398	796,222	173,176
Excess of revenue over expenditures	(2,318)	115,521	9,496	303,943	294,447
Major projects	-	-	-	-	-
Excess of revenue over (under) expenditures and major projects	(2,318)	115,521	9,496	303,943	294,447
Fund balance - beginning of period	1,665,055	1,584,066	1,236,462	1,358,794	122,332
Fund balance - end of period	\$ 1,662,737	1,699,587	1,245,958	1,662,737	416,779

TOWN OF COLUMBINE VALLEY
GENERAL FUND
SCHEDULE OF EXPENDITURES - BUDGET AND ACTUAL
SEVEN MONTHS ENDED JULY 31, 2015 AND 2014

	Seven Months Ended				
	July 2015	July 2014	Budget	July 31, 2015 Actual	Variance
Public safety:					
Automotive expenses	2,640	3,140	26,581	17,952	8,629
Salaries and benefits	39,140	33,147	305,004	298,893	6,111
Municipal court	3,587	7,207	23,912	25,120	(1,208)
Other	569	1,332	33,263	23,374	9,889
	<u>45,936</u>	<u>44,826</u>	<u>388,760</u>	<u>365,339</u>	<u>23,421</u>
Sanitation	5,613	5,613	40,831	39,290	1,541
Administration:					
Legal	2,600	3,094	23,331	26,299	(2,968)
Accounting and audit	550	550	17,250	17,050	200
Inspection	7,922	3,331	37,919	36,353	1,566
Town administration	13,208	12,778	112,128	102,312	9,816
Insurance and bonds	594	718	14,294	17,715	(3,421)
Office supplies and miscellaneous	2,400	2,948	12,054	15,329	(3,275)
County Treasurer's collection fees	46	-	2,456	3,035	(579)
Rent and building occupancy costs	5,517	1,943	28,294	26,426	1,868
	<u>32,837</u>	<u>25,362</u>	<u>247,726</u>	<u>244,519</u>	<u>3,207</u>
Planning and zoning					
Engineering	(92)	4,353	23,331	40,517	(17,186)
Public works:					
Street repairs and maintenance	549	6,156	193,419	15,792	177,627
Street lighting	1,136	1,329	8,750	8,072	678
Weed and tree removal	1,551	6,830	4,375	13,876	(9,501)
Other	3,189	2,656	17,206	15,884	1,322
	<u>6,425</u>	<u>16,971</u>	<u>223,750</u>	<u>53,624</u>	<u>170,126</u>
Other - rounding	-	-	-	(1)	1
Capital expenditures:					
Public safety	7,650	-	39,000	46,934	(7,934)
Administration	-	-	-	-	-
Public works	-	-	-	-	-
	<u>7,650</u>	<u>-</u>	<u>39,000</u>	<u>46,934</u>	<u>(7,934)</u>
Conservation Trust Fund expenditures	-	-	6,000	6,000	-
Total expenditures	<u>98,369</u>	<u>97,125</u>	<u>969,398</u>	<u>796,222</u>	<u>173,176</u>
Major projects:	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
Total expenditures and major projects	<u>98,369</u>	<u>97,125</u>	<u>969,398</u>	<u>796,222</u>	<u>173,176</u>

TOWN OF COLUMBINE VALLEY
 SUPPLEMENTAL SCHEDULE OF GENERAL FUND EXPENDITURES - BUDGET AND ACTUAL
 SEVEN MONTHS ENDED JULY 31, 2015 AND 2014

	July 2015	July 2014	Seven Months Ended		
			July 31, 2015		Variance
			Budget	Actual	
Public Safety:					
Automotive expenses:					
Cruiser gas/oil/maintenance	2,640	3,140	23,331	13,264	10,067
Cruiser insurance	-	-	3,250	4,688	(1,438)
	<u>2,640</u>	<u>3,140</u>	<u>26,581</u>	<u>17,952</u>	<u>8,629</u>
Salaries and benefits:					
Salaries	31,490	24,985	235,385	232,819	2,566
Pension plan	2,952	3,517	23,538	22,960	578
Health/workman's comp insurance	4,698	4,645	46,081	43,114	2,967
	<u>39,140</u>	<u>33,147</u>	<u>305,004</u>	<u>298,893</u>	<u>6,111</u>
Municipal court:					
Municipal court - judge	750	750	5,250	5,250	-
Municipal court - legal	2,280	5,943	14,581	17,385	(2,804)
Municipal court - other	557	514	4,081	2,485	1,596
	<u>3,587</u>	<u>7,207</u>	<u>23,912</u>	<u>25,120</u>	<u>(1,208)</u>
Other:					
Uniforms	-	329	4,669	2,052	2,617
Education/training	-	103	4,375	350	4,025
Arapahoe County dispatch fee	-	-	12,900	12,900	-
Supplies/miscellaneous	569	900	11,319	8,072	3,247
	<u>569</u>	<u>1,332</u>	<u>33,263</u>	<u>23,374</u>	<u>9,889</u>
Administration:					
Town administration:					
Salaries - administration	9,548	9,783	82,500	71,477	11,023
FICA/Medicare - administration	859	202	6,600	6,312	288
Health insurance - administration	995	930	9,331	8,964	367
Pension - administration	477	450	4,024	3,573	451
Telephone/communications	487	445	2,919	3,249	(330)
Computer expense	242	968	2,919	3,482	(563)
Election expense	-	-	1,000	-	1,000
Dues and publications	600	-	2,835	5,255	(2,420)
	<u>13,208</u>	<u>12,778</u>	<u>112,128</u>	<u>102,312</u>	<u>9,816</u>
Office supplies and miscellaneous:					
Advertising/notices	168	9	294	197	97
Miscellaneous	2,045	2,346	8,841	12,200	(3,359)
Supplies - administration	187	593	2,919	2,932	(13)
	<u>2,400</u>	<u>2,948</u>	<u>12,054</u>	<u>15,329</u>	<u>(3,275)</u>
Legal	2,600	3,094	23,331	26,299	(2,968)
Accounting and audit	550	550	17,250	17,050	200
Inspection	7,922	3,331	37,919	36,353	1,566
Insurance and bonds	594	718	14,294	17,715	(3,421)
County Treasurer's collection fees	46	-	2,456	3,035	(579)
Building occupancy costs	5,517	1,943	28,294	26,426	1,868

TOWN OF COLUMBINE VALLEY
 SUPPLEMENTAL SCHEDULE OF GENERAL FUND EXPENDITURES - BUDGET AND ACTUAL
 SEVEN MONTHS ENDED JULY 31, 2015 AND 2014

	July 2015	July 2014	Seven Months Ended July 31, 2015		
			Budget	Actual	Variance
Public works:					
Street repairs and maintenance:					
Street/gutter maintenance	350	5,315	175,000	2,700	172,300
Snow removal	-	-	7,500	11,085	(3,585)
Striping	-	50	1,750	-	1,750
Signs maintenance	-	591	1,750	250	1,500
Vehicle maintenance	24	25	1,169	1,582	(413)
Other drainage	175	125	5,250	175	5,075
Street cleaning	-	50	1,000	-	1,000
	<u>549</u>	<u>6,156</u>	<u>193,419</u>	<u>15,792</u>	<u>177,627</u>
Street lighting	1,136	1,329	8,750	8,072	678
Ground maintenance	1,551	6,830	4,375	13,876	(9,501)
Other:					
Miscellaneous minor public works	2,539	1,046	4,375	7,057	(2,682)
Storm water permit process	1,230	418	3,500	4,004	(504)
Professional fees	(580)	1,192	9,331	4,823	4,508
	<u>3,189</u>	<u>2,656</u>	<u>17,206</u>	<u>15,884</u>	<u>1,322</u>
Capital and Conservation Trust Fund:					
Capital expenditures:					
Administration	-	-	-	-	-
Public safety	7,650	-	39,000	46,934	(7,934)
Public works	-	-	-	-	-
	<u>7,650</u>	<u>-</u>	<u>39,000</u>	<u>46,934</u>	<u>(7,934)</u>
Conservation Trust Fund expenditures:					
Miscellaneous	-	-	6,000	6,000	-
	<u>-</u>	<u>-</u>	<u>6,000</u>	<u>6,000</u>	<u>-</u>



**TOWN OF COLUMBINE VALLEY
TOWN ADMINISTRATOR'S REPORT
SEPTEMBER 2015**

MUNICIPAL COURT:

Court Revenue Total:	2013	\$84,804.73
	2014	\$75,466.79

<u>Court Revenue</u>	<u>2014</u>	<u>2014YTD</u>	<u>2015</u>	<u>2015YTD</u>
January	\$5,670.50	\$5,670.50	\$4,120.95	\$4,120.95
February	\$4,160.00	\$9,830.50	\$8,377.50	\$12,498.45
March	\$7,279.50	\$17,110.00	\$8,315.52	\$20,813.97
April	\$6,999.00	\$24,109.00	\$7,540.50	\$28,354.47
May	\$9,258.25	\$33,367.25	\$7,122.00	\$35,476.47
June	\$6,468.25	\$39,835.50	\$6,914.66	\$42,391.13
July	\$9,162.98	\$48,699.23	\$5,201.29	\$47,592.42
August	\$5,749.25	\$51,564.50	\$6,941.67	\$54,534.09

UPCOMING EVENTS:

- September 26: Shred Event at Town Hall, 9AM – Noon
- October 5: Flu Shots at Town Hall, 7:30 – 9AM and 5-6:30PM
- October 22-24: Dumpster at Town Hall, Noon – Noon

Respectfully Submitted,

J.D. McCrumb
September 15, 2015



Request for Board of Trustee Action

Date: September 15, 2015

Title: Trustee Bill #10, Series 2015: Solicitor Fees

Presented By: J.D. McCrumb, Town Administrator

Prepared By: Lee Schiller, Town Attorney

Background: Last month the Trustees approved on Trustee Bill #4 amending the municipal code regarding solicitors. With these changes, an increase in the number of solicitors in Columbine Valley is anticipated, as are the costs to administer the solicitor permit process and maintain the No Visit List.

The proposed ordinance sets the fees for applicable solicitors at \$20.00 per month and \$50.00 per year and requires all solicitors operating in Columbine Valley to provide government issued photo ID and submit to a background check. All these provisions are in line with many other municipalities in the state and region.

Attachments: Trustee Bill #10, Series 2015

Fiscal Impacts: Increase in fees collected by the Town from zero. The fees collected will not be enough to cover costs associated with starting this program, but once up and running are expected to cover the cost with annual operation.

Staff Recommendations: Approve as presented

Recommended Motion: "I move to approve Trustee Bill #10, Series 2015 on 2nd Reading."

TOWN OF COLUMBINE VALLEY

TRUSTEE BILL NO. 10
SERIES OF 2015

INTRODUCED BY
TRUSTEE: BRUCE MENK

A BILL
FOR
AN ORDINANCE AMENDING CHAPTER 5.08 OF THE MUNICIPAL CODE CONCERNING
SOLICITORS, PEDDLERS, AND ITINERANTE MERCHANTS

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF THE TOWN OF COLUMBINE VALLEY, COLORADO AS FOLLOWS:

Section 1. Section 5.08.030 of the Municipal Code of the Town of Columbine Valley is amended to read as follows:

5.08.030 Fees.

- A. For a Peddler acting on behalf of a merchant otherwise licensed to do business within the Town – No Fee.
- B. For a Peddler acting on behalf of a merchant not otherwise licensed to do business within the Town – A Fee for up to one month, \$20.00; for one year, \$50.00.
- C. For a Solicitor (including a commercial solicitor advertising an event, activity, good or service for purchase at a location away from the residence) – A Fee for up to one month, \$20.00; for one year, \$50.00.
- D. For a Canvasser – No Fee.

Section 2. New paragraphs H, I, J, K, L and M shall be added to Section 5.08.040 of the Municipal Code of the Town of Columbine Valley as follows:

5.08.040 Contents of Registration.

- H. Two (2) identical photographs of the applicant which reasonably identify the applicant; such photographs of the applicant to measure two (2) inches by two (2) inches.
- I. A statement as to whether or not the applicant;
 - 1. has been convicted of any felony, misdemeanor or ordinance violation (other than a traffic violation), and if so, the nature of the offense or violation, the penalty or punishment imposed, the date when and place where such offense occurred, and the pertinent details thereof; or

2. has been institutionalized for mental illness which caused acts of violence against the person or property of another; or
3. is required to be registered as a sex offender or as a sexual predator and the nature of the offense or the punishment or penalty assessed therefor, in this or any other state.

J. Names, addresses and telephone numbers of former places of employment of the applicant during the previous two years, if any.

K. All licenses currently held or previously held by the applicant with the five (5) years preceding the date of application related to soliciting or a similar business endeavor, noting any nonrenewal, suspension or revocation by the issuing authority, and the pertinent details thereof;

L. A statement as to whether a civil judgment has ever been entered against the applicant or, to the applicant's knowledge, the organization or business represented by applicant, for fraud, deceit or misrepresentation and, if so, the full details thereof.

M. Authorization for the Town Clerk to conduct a background check, to verify information disclosed on the application.

Section 3. The following sections of Chapter 5.08 shall be renumbered as follows:

Section 5.08.050 No Visit List, shall be renumbered as: 5.08.060.

Section 5.08.060 Distribution of Hand Bills and Commercial Fliers, shall be renumbered as: 5.08.070.

Section 5.08.070 General Prohibitions, shall be renumbered as: 5.08.080.

Section 5.08.080 Exceptions, shall be renumbered as: 5.08.090.

Section 5.08.090 Violations, shall be renumbered as: 5.08.100.

Section 4. Section 5.04.050 is amended in its entirety to read as follows:

Section 5.04.050 Registration; grounds for denial.

A. The Town Clerk may deny registration for any of the following reasons:

1. Any person against whom a judgment based upon, or a conviction for, misrepresentation, fraud, deception, breach of warranty or breach of contract

in the Town or elsewhere has been entered within the five (5) years preceding the date of application.

2. Failure to comply with this Chapter or violation of any ordinance applicable to his or her permitted activities.
3. Failure to obtain a business license or contractor's license as required by the Town or failure of the applicant, his or her supervisor or his or her employer to remit any sales tax due the Town.
4. Registration as a sex offender or as a sexual predator, in this or any other state, or conviction of any crime that requires such registration.
5. Felony convictions for crimes against the person or property of another,
6. Institutionalization for mental illness which caused acts of violence against the person or property of another; provided, however, that such felony convictions or institutionalization occurred within the five (5) years preceding the date of application. For the purposes of this Section:

Crimes or acts against the property of another shall include: theft, burglary, breaking and entering, larceny and other similar felonies involving moral turpitude by whatever name.

Crimes or acts of violence against the person or another shall include: homicide, attempted homicide, rape, attempted rape, sexual assault, assault, battery and other similar felonies involving moral turpitude by whatever name.

7. Any false, misleading or fraudulent statement on an application, or when an applicant has omitted pertinent information on the application for registration.
8. The applicant is a person whose character and record are such as not to warrant the Town Clerk's confidence that he or she will conduct the business of soliciting lawfully, honestly and fairly or without resorting to duress, coercion, intimidation or harassment of any person being solicited for business or other acts of violence or force against persons or property.
9. Any person who has been denied registration or had their registration revoked pursuant to this Chapter within the previous year, unless the applicant can and does show to the satisfaction of the Town Clerk that the reasons for such earlier denial or revocation no longer exist.

B. In making a determination pursuant to subsection A above, when considering a criminal or ordinance violation conviction or judgment, the Town Clerk shall be

governed by the provisions of C.R.S. § 24-5-101, pertaining to the effect of criminal convictions on employment rights. The Town Clerk shall also give consideration to the following criteria:

1. The reliability of any source as to character and record and any corroboration of any such evidence;
2. The nature of any criminal conviction or ordinance violation or any judgment involving fraud, deceit or misrepresentation, including the classification of any felony or misdemeanor conviction; length of time incarcerated or severity of remedy or penalty imposed; mitigating or aggravating factors involved; subsequent record of conduct, including educational achievements and work history; subsequent convictions or parole or probation violations; and the correlation, if any, between the illegal or fraudulent activity and the solicitor registration for which application has been made; and
3. Any evidence presented tending to show the applicant's rehabilitation as being a law-abiding and productive member of society.

C. Persons whose applications for registration have been denied shall be notified in writing of the reason for such denial within five (5) business days of receipt of application for registration by the Town Clerk. Upon written request to the Town Clerk, applicants that have been denied are entitled to an administrative review of the denial by the Town Administrator or his or her designee. The Town Administrator or his or her designee shall determine whether the reasons for registration denial in fact exist, and shall notify the applicant in writing of said determination within five (5) business days of receipt of written request for administrative review by the Town Administrator or his or her designee.

Section 5. Should any section, clause, sentence, part or portion of this Ordinance be adjudged by any court to be unconstitutional or invalid, the same shall not affect, impair, or invalidate the Ordinance as a whole or any part thereof other than the part or portion declared by such court to be unconstitutional or invalid.

Section 6. The Town Clerk shall certify the passage of this Ordinance and cause notice of its contents and passage to be published.

Section 7. This Ordinance shall be in full force and effect upon the expiration of thirty (30) days after the publication of this Ordinance in the Littleton Independent, Littleton, Colorado, said newspaper being a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

Introduced as Trustee Bill No. 10, Series of 2015, at a regular meeting of the Board of Trustees for the Town of Columbine Valley, held at the Columbine Valley Town Hall, located at 2 Middlefield Road, Columbine Valley, Arapahoe County, Colorado, on the 18th day of August, 2015, passed by a vote of 6 for and 0 against on first reading; passed on second reading at a regular meeting of the Board of Trustees held at the Columbine Valley Town Hall, Arapahoe County,

Colorado by a vote of _____ for and _____ against on the _____ day of September 2015,
at 6:30 p.m. and order published in the Littleton Independent on the _____ day of _____ 2015.

Gale Christy, Mayor

ATTEST:

JD McCrumb,
Clerk of the Town of Columbine Valley



Request for Board of Trustee Action

Date: September 15, 2015

Title: Amendment to Land Use Regulations

Presented By: Phil Sieber, Town Planner

Prepared By: Phil Sieber, Town Planner

Background: The staff is recommending revisions to Article VI of the Land Use Regulations. Revisions to Articles Vi-XIII which are not part of the Zoning Code and can be amended by resolution of the Board of Trustees. A public hearing is not required.

The recommended revisions reflect changes in the way we process referrals to outside agencies and HOA's

Attachments: Recommended Changes

Staff Recommendations: Approve as presented

Recommended Motion: "I move to approve the amendment to Article VI, Section 2B1c, Sections 2B1D and Section 2B3 the Land Use Regulations as specified in the staff report dated September 15, 2015."

The following is a list of the Section to be revised. The rational for the revision is followed by the new language shown in **Gray font** and the deleted language in ~~strikeout~~.

ARTICLE VI: LAND DEVELOPMENT APPLICATIONS AND PROCEDURES

SECTION 2. PROCESSING THE PRELIMINARY PLAN/PLAT

Subsection B1c contains language relating to the referral process. Previously the referral packets to outside agencies and HOA's were sent by mail. The public hearing was not scheduled for at least 40 days after acceptance of the application in order to get the referral comments back. We can now send all referral information via an email attachment and we do not need 40 days.

- B1c: If the application is complete, the applicant will be notified of the number of copies required for the Town. ~~to send out to appropriate agencies and HOA's for referral comments. The applicant shall be provided the mailing address of each referral agency. Referral packets shall be provided to the Town in appropriately sized, addressed, stamped, but not sealed, envelopes.~~ Upon acceptance of the **application** ~~the referral packets,~~ the Town Clerk shall schedule the case for a hearing by the Planning and Zoning Commission. The hearing shall be scheduled for the first available Planning and Zoning Commission meeting **but not more than 45 less than 30 days** after the application has been accepted. **The Town Planner will send copies of the plan and plat to appropriate agencies**
- B1d: If the application is deficient due to failure to include major items, or if there are major errors, **it will not be accepted.** The Town Planner will return the application with a copy of the submittal requirements showing the items that need to be corrected.

B3 Referrals

The Town **Planner** ~~will confirm that the referrals packets, as submitted, are complete and send packets to~~ **notify** each referral agency **as soon as the date of public hearing has been set** ~~within 10 business days of receiving the packets from the applicant.~~ The referral agencies will be asked for a response within a reasonable time. Staff will assemble all comments, and inform the applicant of the referral comments. The applicant shall endeavor to resolve all outstanding comments and provide written responses to the Town regarding disposition of all comments. The applicant shall submit all required revised Planned Development documents for staff review.