

**TOWN OF COLUMBINE VALLEY  
BOARD OF TRUSTEES MEETING**

April 17, 2018

**A G E N D A**

1. ROLL CALL 6:30PM
  
2. PLEDGE OF ALLEGIANCE
  
3. APPROVAL OF MINUTES Mayor Champion  
    March 20, 2018
  
4. PUBLIC COMMENT  
    Each speaker will be limited to three minutes. The Board of Trustees is not authorized by the Colorado Open Meetings Law to discuss comment or take action at the meeting on any issue raised by public comment. The Mayor may refer the matter to staff to obtain additional information and report back to the Board as appropriate.
  
6. REPORTS
  - A. Mayor
  - B. Trustees
  - C. Town Administrator
  - D. Chief of Police
  - E. Town Treasurer
  
7. OLD BUSINESS
  - A. Trustee Bill #4, 2018 – Towing Ordinance (2<sup>nd</sup> Reading) Mr. Schiller
  
5. NEW BUSINESS
  - A. Resolution #7, Series 2018 regarding Special Event Permit fees Mr. McCrumb
  - B. Appointment of Back-up Municipal Judge Mr. Schiller
  - C. Appoint Members to the Board of Adjustments Mr. McCrumb
  
8. RECOGNITION OF OUTGOING BOARD MEMBER Mayor Champion
  
9. SWEARING IN OF MAYOR AND TRUSTEES Judge Jim Keil
  - A. Mayor Richard Champion (2 years)
  - B. Trustee Kathy Boyle (4 years)
  - C. Trustee Bill Dotson (4 years)
  - D. Trustee Bruce Menk (4 years)
  
10. APPOINTMENTS AND OATHS Mayor Champion
  - A. Mayor ProTem
  - B. Appointment of Commissioners
  - C. Municipal Judge 2 Years
  - D. Back-up Municipal Judge 2 Years Judge Jim Keil
  - E. Town Attorney 2 Years
  - F. Town Treasurer 2 Years
  - G. Town Administrator 2 Years
  - H. Town Clerk 2 Years
  - I. Town Marshall 2 Years
  - J. Building Inspector 2 Years
  - K. Court Clerks 2 Years

11. ADJOURNMENT

**TOWN OF COLUMBINE VALLEY**  
**BOARD OF TRUSTEES**  
Minutes  
March 20, 2018

**PUBLIC HEARING: 2018 Building Codes**

Mayor Champion opened the Public Hearing at 6:00 p.m. at the Columbine Valley Town Hall, 2 Middlefield Road, Columbine Valley, Colorado. Roll call found the following present:

Trustees: Richard Champion, Dave Cope, Kathy Boyle, Gale Christy, Bill Dotson, Bruce Menk, and Roy Palmer

Also present: Lee Schiller, J.D. McCrumb, Jeff Tempas, Bret Cottrell, Phil Sieber, and Jim Thelen

Mr. Thelen presented the Trustees with the report on the proposed changes and updates to the Towns building codes. The Trustees asked clarifying questions.

Ginny Rogliano, 15 Driver Lane, asked a clarifying question about wireless CO2 detectors.

Mara Marks, 8 Driver Lane, asked if these were new codes unique to Columbine Valley.

There was no additional public comment. **The public hearing was closed at 6:18 p.m.**

**PUBLIC HEARING: 2017 Budget Amendment**

Mayor Champion opened the Public Hearing at 6:18 p.m. at the Columbine Valley Town Hall, 2 Middlefield Road, Columbine Valley, Colorado. Roll call found the following present:

Trustees: Richard Champion, Dave Cope, Kathy Boyle, Gale Christy, Bill Dotson, Bruce Menk, and Roy Palmer

Also present: Lee Schiller, J.D. McCrumb, Jeff Tempas, Bret Cottrell, Phil Sieber, and Jim Thelen

Mr. Tempas presented the Trustees with the report on the proposed amendment to the 2017 Town budget. The Trustees asked clarifying questions.

There was no public comment. **The public hearing was closed at 6:23 p.m.**

Mayor Champion called the Regular Meeting of the Trustees 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: Richard Champion, Dave Cope, Kathy Boyle, Gale Christy, Bill Dotson, Bruce Menk, and Roy Palmer

Also present: Lee Schiller, J.D. McCrumb, Jeff Tempas, Bret Cottrell, and Phil Sieber

**MINUTES:** The minutes of the February 20, 2018 meeting were approved.

**CITIZEN CONCERNS:** Mara Marks, 8 Driver Lane, thanked the Trustees for adding the height requirement to the Wild Plum FDP and asked if the final language was available for public review. Mrs. Marks also asked if the developer had been fined for any violations of the Construction Management Plan.

Ginny Rogliano, 15 Driver Lane, asked about the damage to the Willowcroft wall along Bowles Avenue.

**MAYOR'S COMMENTS:** Mayor Champion informed the Trustees that a new alternate judge for the Columbine Valley Municipal Court had been identified and would be brought for their consideration at a future meeting.

Mayor Champion also updated the Trustees on the Town's annual donation of \$100 to the Arapahoe County Youth Fund and provided an update from the recent Arapahoe County Transportation Forum meeting.

**TRUSTEE COMMENTS:** Trustee Dotson provided a brief update on the development of the Clayton property in Littleton, just east of Brookhaven. Golf cart access onto Brookhaven remains unresolved between the developer and the HOA.

**TOWN ADMINISTRATOR'S REPORT:** Mr. McCrumb presented the attached report. Mr. McCrumb answered Trustee questions about cell towers in Columbine Valley and the Wild Plum development schedule.

**POLICE CHIEF'S REPORT:** Chief Cottrell presented the attached report and informed the Trustees that the CVPD would be hosting a drug takeback event on April 28.

**TOWN TREASURER'S REPORT:** Mr. Tempas presented the January financials to the Trustees. Mr. Tempas informed the Trustees that the audit field work had been completed and a report was anticipated in May.

**OLD BUSINESS:**

**Trustee Bill #2, 2018:** Mr. Thelen presented an ordinance on 2<sup>nd</sup> reading to update the Town's building code.

**ACTION: upon a motion by Trustee Palmer and a second by Trustee Menk, the Board of Trustees unanimously approved Trustee Bill #2, 2018 on 2<sup>nd</sup> reading.**

**Trustee Bill #3, 2018:** Mr. McCrumb presented an ordinance on 2<sup>nd</sup> reading to adopt containing revisions to the Flood Insurance Rate Map as required to remain in compliance with the Federal Emergency Management Agency.

**ACTION: upon a motion by Trustee Palmer and a second by Trustee Boyle, the Board of Trustees unanimously approved Trustee Bill #3, 2018 on 2<sup>nd</sup> reading.**

**Resolution #6, 2018:** Mr. Tempas presented a resolution amending the 2017 Town Budget.

**ACTION: upon a motion by Trustee Cope and a second by Trustee Dotson, the Board of Trustees unanimously approved Resolution #6, 2018.**



**Town Speed Limits:** The Trustees reviewed the historic speed and cut-through studies that were included in their packets. After discussion, the trustees directed Chief Cottrell to increase police visibility and enforcement along Fairway Lane between Platte Canyon and Club, and along Brookhaven Lane, and to ticket cars going more than 10 mph over the posted speed limit. Trustee Boyle indicated peak AM and afternoon (3-4pm) drive times as greatest concern to the public.

**NEW BUSINESS:**

**Trustee Bill #4, 2018:** Mr. Schiller presented an ordinance on 1<sup>st</sup> reading to allow for the towing of vehicles in Columbine Valley under certain circumstances.

**ACTION: upon a motion by Trustee Menk and a second by Trustee Boyle, the Board of Trustees unanimously approved Trustee Bill #3, 2018 on 1<sup>st</sup> reading.**

**EXECUTIVE SESSION: Upon a motion by Trustee Boyle and a second by Trustee Christy, the Board unanimously approved entering into executive session at 7:23 p.m. to receive legal advice regarding correspondence from the Law firm of Wizenberg, Leff, Purvis, & Payne LLP., on behalf of its client Columbine Valley Estates HOA, regarding lot 7, pursuant to C.R.S. 24-6-402-4b.**

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:54 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.*

*\*\* All minutes should be considered to be in DRAFT form until approved by the Board of Trustees at the next regular meeting.*





# Town Administrator's Report

*April 2018*



Town of Columbine Valley  
2 Middlefield Road  
Columbine Valley, CO 80123

Tel: 303-795-1434  
Fax: 303-795-7325  
[jdmccrumb@columbinevalley.org](mailto:jdmccrumb@columbinevalley.org)





## Town Website March Statistics

1,678

Total Visits

2,211

March Page Views

## Top Pages

Building Permits

Report a Concern

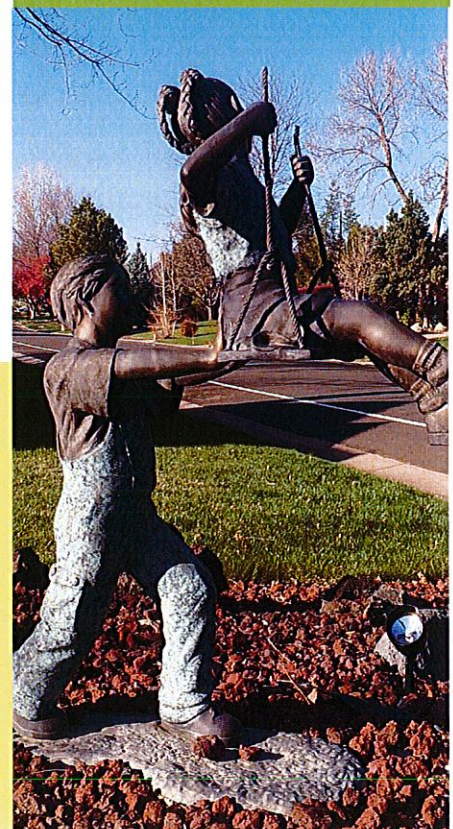
Development Updates

Pay Ticket

## Communications & Administration

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- Administrative staff spent a day purging the basement of files (long) past their prescribed retention date.
- Staff is now utilizing the GovPilot software for building permits, demolition permits, street cut permits and contractor licensing. Full utilization of these tools will be in place at the end of April, including the online access for contractors. The “report a concern” module is now testing and will be refined based on feed back. ICON Engineering has updated all Town maps and they will be incorporated in the next two weeks. The entire system is still on schedule to be fully tested and operational by the end of April. Public announcements of the new features will align with the June newsletter.
- The



## Citizen Contacts:

*Staff has fielded calls, emails or walk-ins on the following topics in March*

- ⇒ Building Department: 96
- ⇒ Comm. Development: 67
- ⇒ Public Works: 55
- ⇒ Municipal Court: 89
- ⇒ Other: 97



# Building Department

## Monthly Stats

15 Permits Issued

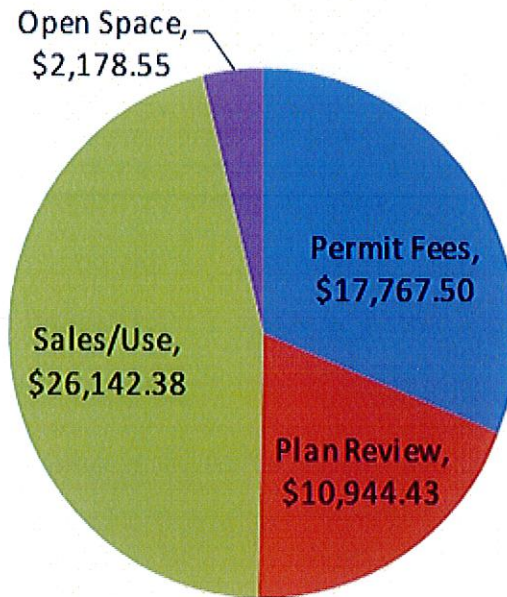
- New SFR: 2
- Major Remodel: 1
- New Roofs: 0
- Other/Misc.: 12

68 Inspections

16 Licenses Issued

- General: 6
- Electrician: 5
- Plumbers: 1
- Mechanical: 3
- Roofer: 1

Mar. Permit Rev.: \$57,032.86



## Wild Plum

95 Total Lots

0 SFR Permits Issued

0 Permit Pending

1 Grading Permit

## Wilder Lane

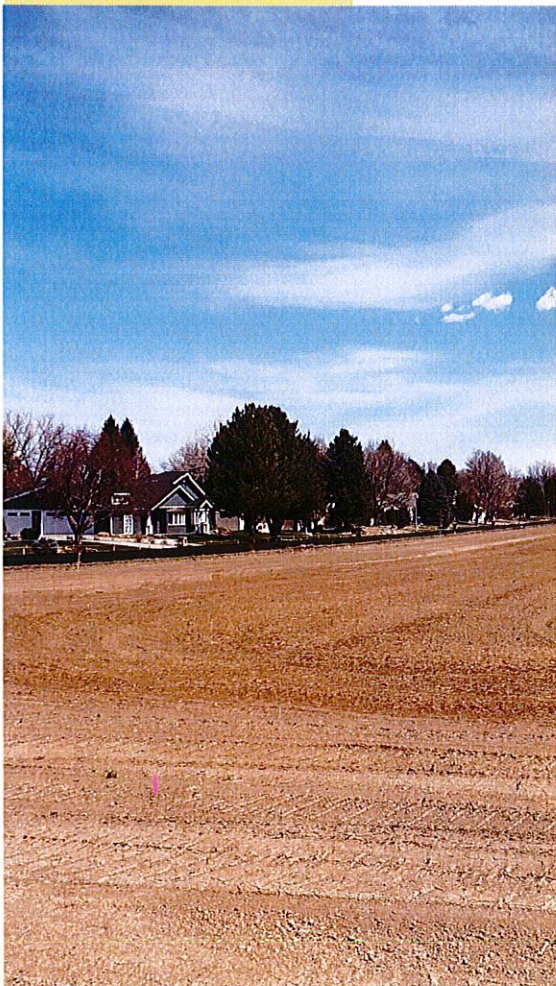
24 Total Lots

5 Permits Active

0 Permit Pending

8 Completed Homes

7 Occupied Home



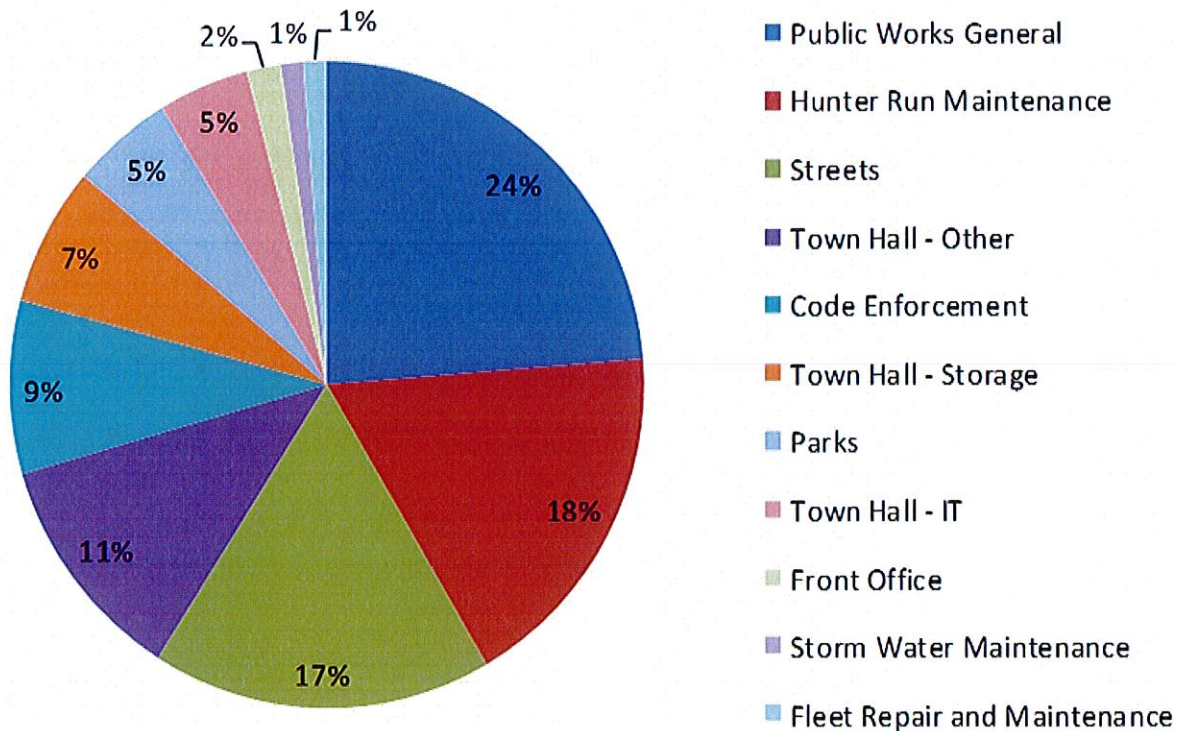
## Building Department Revenue by Month

	<u>2017</u>	<u>2017 YTD</u>	<u>2018</u>	<u>2018 YTD</u>
January	\$19,908.26	\$19,908.26	\$33,481.56	\$33,481.56
February	\$56,545.98	\$76,454.24	\$15,406.51	\$48,888.16
March	<b>\$45,844.32</b>	<b>\$122,298.56</b>	<b>\$57,032.86</b>	<b>\$105,921.02</b>
April	\$164,185.81	286,484.37		
May	\$129,819.95	\$416,304.32		
June	\$21,136.83	\$437,441.15		
July	\$14,030.74	\$438,844.89		
August	\$73,657.67	\$512,502.56		
September	\$32,849.07	\$545,351.63		
October	\$22,603.20	\$567,954.84		
November	\$26,129.25	\$594,084.09		
December	\$55,810.24	\$649,894.33		



# Public Works Department

## March Staff Time Allocation (including contractors)



- The Town Hall utility room was updated to provide better functionality for cleaning staff. A splash guard was installed around the mop sink to protect the drywall from water. A leaking faucet was fixed. And a new chemical dispensing station was installed to provide hospital grade cleaning supplies.
- The Coal Mine intersection light project wrapped up. Special attention was paid to the street markings at the Burning Tree entrance to make sure the crosswalks and stop bars were moved closer to the intersection.
- Start of year 2 of the Hunter Run median rehabilitation program. This is focused on the 84 viburnum bushes along the center median. Last year was focused on removing all dead material. This year will focus on evaluating the health of each plant, removing any unhealthy sections. The plants will also start to be pruned back to achieve a more uniform look.

### March Weather Report

- High of 70, Low of 14
- 1.3" of precipitation
- 0 day with plowing activity
- 0 day with sanding activity
- Total of 0 hours of snow removal and ice treatment.

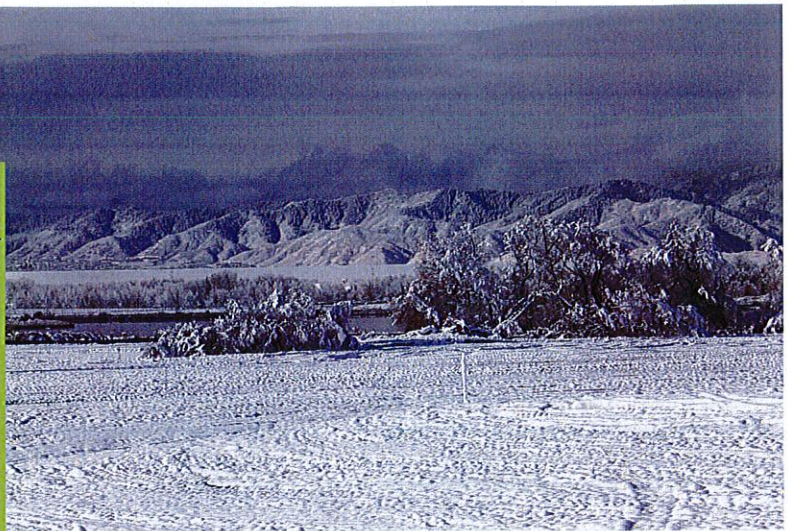


## Municipal Court

	<u>2017 YTD</u>	<u>2018</u>	<u>2018 YTD</u>
Jan	\$6,295.25	\$10,400.00	\$10,400.00
Feb	\$10,074.22	\$9,626.87	\$20,026.87
Mar	<b>\$18,941.22</b>	<b>\$5,824.25</b>	<b>\$25,871.12</b>
Apr	\$25,696.22		
May	\$24,791.22		
June	\$30,558.22		
July	\$35,619.47		
Aug	\$41,766.42		
Sept	\$45,826.42		
Oct	\$56,006.92		
Nov	\$63,096.92		
Dec	\$66,986.04		

### March Total Stats

- Total paid before Court: 43
- Total on docket: 38
- Cases heard by Judge: 16
- Continuances: 1
- Failure to Appears: 8
- Stay of Executions: 7
- Classes Ordered: 3
- Bench Warrants 2
- Trials 0



## Community Development

### Wild Plum Farm

Following the Trustee's approval of the Final Plan and Final Plat, the staff has been working on the normal post approval documents. The only remaining task are the covenants (CC&R's). The staff reviews the CC&R's to insure that they are consistent with the Town Regulations and the approved Final Plan and Plat. The Town Planner and Town Attorney have almost completed their review.

### Willowcroft and Wilder Lane

The staff continues to work through the punch-list items in these communities as they near completion of their obligations to the Town. There remain some unresolved issues and discussions with the developers are ongoing. The affiliated HOA and impacted homeowners are engaged as appropriate.

### Wild Plum Schedule—as of April 2018

Grading	Complete beginning of May
Pipe & Sewer	Start end of April – 3 months
Concrete	Start end of July – 1 month
Asphalt	Start end of Aug – 1 month
Landscape	Start in the Fall
Model Homes	Start in the Fall
Fairway Widening	June/July
Platte Canyon	Start in 30 days after approval (Hope to start in May)





# Columbine Valley Police Department

## Serving Bow Mar

2 Middlefield Rd. Columbine Valley, Colorado 80123  
 www.columbinevalley.org  
 (303) 795-1434 Fax (303) 795-7325

### Columbine Valley P.D. Monthly Report March 2018

Full Time Positions	6 of 6
Part Time Positions	2 of 2
Regular / PTO hours	1503 / 70
OT hours worked	6
Off Duty	3
Holiday Pay	16

NOTE: March is a 3 pay period month so numbers are higher than normal

#### Statistics Report:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	SUM
Total	46	43	36										125
SPEEDING	20	12	14										46
PARKING	4	4	2										10
INSURANCE	0	5	2										7
FAIL TO STOP	13	19	7										39
OTHER	9	3	11										23
CV SUMMONS	26	30	22										78
BM SUMMONS	20	13	14										47
Vehicles:													
Mileage	6492	6428	7334										
Fuel	602	606	667										

#### Investigations Update:

CV-18-0107 Theft from Motor Vehicle No suspects  
 BM-18-0044 Theft from Motor Vehicle No suspects  
 CV-18-0018 Theft from Motor Vehicle No suspects  
 CV-18-0120 Identity Theft Victim refused to cooperate







MINIMAL CALL IP		<u>9</u>							<u>9</u>
Person									
PERSON IP									
Assault									
ASSAULT IP									
ASSIST TO OTHER AGENCY IP									
ATTEMPT TO CONTACT IP									
ATTEMPTED HOMICIDE IP									
AUTO ALARM IP									
Auto Theft									
AUTO THEFT IP									
BAR CHECK IP*									
BIKE PATROL IP*									
BOATING UNDER THE INFLUENCE									
BOLO IP									
BOOMB SQUAD ASST IP									
BOOMB SQUAD DETAIL IP									
BOOMB THREAT OR DEVICE IP									
Burglary									
Burglary Attempt									
BURGLARY ATTEMPT IP									
BURGLARY IP									
BUSINESS ALARM IP									
BUSINESS CHECK IP*									
CANCEL RUNAWAY IP									
Child Abuse									
HILD ABUSE IP									
CITIZEN ASSIST IP			<u>5</u>						<u>5</u>
CLOSED BUSINESS CHECK IP*				<u>4</u>					<u>4</u>
CODE ENFORCEMENT IP*									
Colorado Life Track									
COLORADO LIFE TRACK IP									
COMMUNITY CONTACT IP*				<u>34</u>					<u>34</u>
CONTROLLED BURN IP									
COVER OTHER AGENCY IP		<u>1</u>							<u>1</u>
Criminal Impersonation									
CRIMINAL IMPERSONATION IP									
Criminal Mischief									
CRIMINAL MISCHIEF IP									
Criminal Tampering									
CRIMINAL TAMPERING IP									
Cruelty to Animals									
CRUELTY TO ANIMALS IP									
CURFEW VIOLATION IP									
DEAD ON ARRIVAL IP									
DETAIL IP									
DIRECTED PATROL IP*									
DISORDERLY CONDUCT IP									
Disturbance Physical									
DISTURBANCE PHYSICAL IP									
Disturbance Verbal									
DISTURBANCE VERBAL IP									
Domestic Violence Physical									
DOMESTIC VIOLENCE PHYSICAL IP									
Domestic Violence Verbal									
DOMESTIC VIOLENCE VERBAL IP									
Drug Violation									
DRUG VIOLATION IP		<u>1</u>							<u>1</u>











USPICIOUS PERSON IP		<u>1</u>							<u>1</u>
uspicious Vehicle									
USPICIOUS VEHICLE IP		<u>6</u>							<u>6</u>
XO Annual Registration									
XO End of Registration									
XO in Custody at Jail									
XO Information Update									
XO Initial in Custody									
XO Initial Registration									
XO Quarterly Registration									
XO Registration									
XO Relocation									
EMP RESTRAINING ORDER IP*									
est Record									
heft			<u>1</u>						<u>1</u>
heft from Motor Vehicle			<u>1</u>						<u>1</u>
HEFT FROM MOTOR VEHICLE IP		<u>1</u>							<u>1</u>
HEFT IP									
RAFFIC ARREST IP			<u>2</u>						<u>2</u>
raffic Complaint									
RAFFIC COMPLAINT IP			<u>2</u>						<u>2</u>
RAFFIC OBSTRUCTION IP		<u>1</u>							<u>1</u>
RAFFIC STOP IP		<u>66</u>							<u>66</u>
RANSPORT IP									
resspass to Property			<u>1</u>						<u>1</u>
resspass to Vehicle									
RESSPASS TO PROPERTY IP									
RESSPASS TO VEHICLE IP									
NDERAGE SMOKING IP									
NKNOWN INJURY ACCIDENT IP									
NLAWFUL ACTS IP		<u>2</u>							<u>2</u>
nwanted Subject									
NWANTED SUBJECT IP									
EHICLE LOCKOUT IP			<u>1</u>						<u>1</u>
VARRANT ARREST IP			<u>1</u>						<u>1</u>
VARRANT PICKUP IP									
Weapons Violation									
VEAPONS VIOLATION IP									
VELFARE CHECK IP		<u>2</u>							<u>2</u>
ONING IP									
Z-OLD ALARM CANCELLED									
Z-OLD BOMB SQUAD RESPONSE									
Z-OLD CANCELLED ESCAPE									
Z-OLD COURT DETAIL									
Z-OLD DISTURBANCE									
Z-OLD FUEL									
Z-OLD MAINTENANCE									
Z-OLD MEAL BREAK									
Z-OLD ON CALL									
Z-OLD REPORT									
Z-OLD TRAINING									
<b>Total</b>		<b><u>107</u></b>	<b><u>43</u></b>	<b><u>73</u></b>					<b><u>223</u></b>

Go Back | Close



**Request for Board of Trustee Action**

- Date:** April 17, 2018
- Title:** Trustee Bill #4, Series 2018 – Towing of Vehicles
- Presented By:** Lee Schiller, Town Attorney
- Prepared By:** Lee Schiller, Town Attorney
- Background:** The Town has seen an increase in circumstances necessitating the need for the provisions in this ordinance. Such instances include:
- vehicles left in one location for a continuous period of more than seventy-two hours
  - inoperable vehicles on any public property or on any private property other than the person's property, without the consent of the property owner
  - vehicles with three or more separate parking citations and at least three of these citations remain unpaid
- Trustee Bill #4, Series 2018 qualifies the specific conditions and requirements for removing nuisance vehicles.
- Attachments:** Trustee Bill #4, Series 2018
- Staff Recommendations:** Approve as presented
- Recommended Motion(s):** “I move to approve as presented Trustee Bill #4, Series 2018 on 2<sup>nd</sup> Reading”.



A BILL FOR AN ORDINANCE  
OF THE TOWN OF COLUMBINE VALLEY CONCERNING ABANDONED AND  
INOPERABLE VEHICLES ON PUBLIC AND PRIVATE PROPERTY

WHEREAS, the Town has encountered issues with enforcing its ordinances regarding the parking of vehicles overnight, as well as the parking of inoperable and abandoned vehicles, which are parked on both private and public property; and

WHEREAS, the Board of Trustees recognizes the need to update the Town's ordinances to prevent the nuisance caused by the overnight parking of vehicles, and the parking of inoperable and abandoned vehicles; and

WHEREAS, the Board of Trustees finds that updating the Town's parking ordinance concerning overnight parking of vehicles and the parking of inoperable and abandoned vehicles on public and private property and providing for the towing of such vehicles, is in the best interests of the Town and its residents.

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

Section 1. Section 10.04.020 of the Municipal Code of the Town of Columbine Valley is hereby amended to add the following definitions to Subsection (e) as follows:

Section 1212(e) – Definitions.

- iv. Abandoned vehicle means:
  - (a) Any motor vehicle left unattended on private property without the consent of the owner or lessee of such property;
  - (b) Any motor vehicle left unattended on public property, including any portion of the street right-of-way, within the corporate limits of the Town, for a period of seventy-two (72) hours;
  - (c) Any vehicle that meets the definition of inoperable vehicle as provided for herein.
- v. Inoperable vehicle means any vehicle that is mechanically or legally inoperable or requires repairs in order to be operable, or is unable to move under its own power. A presumption shall exist that vehicles are inoperable when:



- (a) One (1) or more tires are flat or wheels missing;
- (b) Components of the vehicle which are essential for its operation or control are missing, damaged or deteriorated; or
- (c) Any vehicle that is not licensed and registered as required by Article 3, Title 42, C.R.S., for a period greater than thirty-one (31) days.

Section 2. Subsection B(1) – Misuse of Wireless Telephone, of Section 10.04.020 of the Municipal Code of the Town of Columbine Valley is hereby renumbered as Subsection B(2). Subsection B(1) is hereby amended to read as follows:

1. Towing and Impoundment of Vehicles.
  - (a) Applicability. The provisions of this section shall apply to the towing, impoundment and sale of abandoned motor vehicles within the Town. Except as expressly modified hereby, the provisions of C.R.S. § 42-4-1801 *et seq.*, as amended, shall apply to the towing, impoundment and sale of abandoned motor vehicles found on public property within the Town and the provisions of C.R.S. § 42-4-2101 *et seq.*, as amended, shall apply to the towing, impoundment and sale of abandoned motor vehicles found on private property.
2. Authority to Tow and Impound Vehicles.
  - (a) Any vehicle left in one location upon any public property or on any private property, without the consent of the property owner, for twenty-four hours or more than the time limited by any signs that apply to that location, or for a continuous period of more than seventy-two hours at any otherwise unregulated location, constitutes an abandoned vehicle, which is a public nuisance. Proof that the vehicle's odometer shows movement of no more than two-tenths of a mile during a period of at least twenty-four hours after the time limited by any signs that apply to that location, or at least seventy-two hours at any otherwise unregulated location, shall constitute prima facie evidence that the vehicle was left in one location.
  - (b) Any inoperable vehicle or any parts thereof left on any public property or on any private property other than the person's property, without the consent of the property owner, constitutes an inoperable vehicle, which is a public nuisance.
  - (c) If a peace officer has probable cause to believe that a vehicle left unattended on public or private property is an abandoned or inoperable motor vehicle, the officer shall leave under the windshield wiper or otherwise attach to the vehicle a conspicuous warning notice that:



- (i) States the date and the time that the notice was attached to the motor vehicle;
- (ii) Orders removal of an inoperable vehicle, as prescribed by subsection (b) of this section, or the moving of an abandoned vehicle, as prescribed by subsection (a) of this section, from the location within seven days of the notice;
- (iii) Warns that, if the vehicle is still parked in violation of subsection (a) or (b) of this section after seven days from the date of the notice, it may be impounded by order of the police department and that the vehicle owner will be liable for the expenses of such impoundment; and
- (iv) Advises the person in possession of the vehicle that such person has rights pursuant to C.R.S. § 42-4-1801 *et seq.*, and C.R.S. § 42-4-2101 *et seq.*
- (v) Within forty-eight (48) hours of the time that a notice is attached to a vehicle under subsection (c) of this section, the Town Administrator shall give written notice by certified or first class mail to the registered owner of the vehicle containing all of the information described in subsection (c) of this section. The notice shall also advise the owner that if the vehicle is towed and is not claimed by the owner or the owner's authorized agent and the amount of any accrued removal and storage charges and the impoundment fee are not paid within thirty days from the date and time that the vehicle is impounded, the vehicle will be sold.
- (vi) If the vehicle is not registered in Colorado, or if the license plate or vehicle identification number is expired, altered or missing, the Town Administrator shall send the notice required in this section as soon as is reasonably practicable, but without regard to the forty-eight (48) hour limit. If the Town Administrator is unable to send notice because the location of the vehicle owner cannot be located, then the notice attached to the vehicle under subsection (c) of this section shall be sufficient.
- (vii) If an abandoned or inoperable vehicle or any parts thereof is still parked in violation of subsection (a) or (b) of this section after seven (7) days from the date and time that the notice prescribed by subsection (d) of this section is attached to the vehicle, a police officer may cause the vehicle and parts thereof to be removed and impounded by a towing carrier.



(viii) A police officer may direct an operator to tow a vehicle for safe keeping to an impound lot of the Town's choosing if the vehicle has received three (3) or more separate parking citations and at least three (3) of these citations remain outstanding, or have not been paid in the time required by law, subject to the notice provided in section (d) above.

3. Post-Impoundment Procedures.

(a) The Town shall follow the post-impoundment procedures in C.R.S. § 42-4-1801 *et seq.*, and C.R.S. § 42-4-2101 *et seq.*, as applicable and amended, including the procedures for any hearing requested by the owner of the towed vehicle. The hearing shall be conducted by the Municipal Judge.

Section 3. 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 4. The Town Clerk shall certify the passage of this Ordinance and cause notice of its contents and passage to be published.

Section 5. 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. 4, series of 2018, at a regular meeting of the Board of Trustees of the Town of Columbine Valley, Colorado, on the 20<sup>th</sup> day of March, 2018, passed by a vote of \_\_\_\_ for and 0 against, on first reading; passed on second reading at a regular meeting of the Board of Trustees held by a vote of \_\_\_\_ for and \_\_\_\_ against on the \_\_\_\_ day of \_\_\_\_\_, 2018, and ordered published in the Littleton Independent on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Richard Champion, Mayor

ATTEST:

\_\_\_\_\_  
J.D. McCrumb, Clerk of the Town of Columbine Valley





**Request for Board of Trustee Action**

**Date:** April 17, 2018

**Title:** Resolution #7, Series 2018: Special Event Permit Fees

**Presented By:** J.D. McCrumb, Town Administrator

**Prepared By:** J.D. McCrumb, Town Administrator

**Background:** Once or twice a year, the Town receives and processes applications for Special Event Liquor Licenses. The current fee required with application is \$100.

One of the steps required to process applications involves having printed and posting notice near the site of the special event, offering residents or other interested persons the opportunity to submit objections to the issuance of a permit. The cost of printing and posting sign(s) exceeds \$100.

**Attachments:** Resolution #7, Series 2018: Special Event Permit Fees

**Fiscal Impacts:** Positive cost variance related to Special Event Permits

**Suggested Motion:** "I move to approve as presented Resolution #7, Series 2018".



RESOLUTION NO. 7  
SERIES OF 2018

A RESOLUTION OF THE TOWN OF COLUMBINE VALLEY ESTABLISHING A PERMIT  
FEE FOR SPECIAL EVENTS PERMITS

WHEREAS, Section 12-48-101 C.R.S., authorizes a local liquor licensing authority to issue Special Event Permits for the sale of fermented malt beverages, as well as spirituous or vinous liquors; and

WHEREAS, from time to time the Town receives applications for a Special Event Permit pursuant to Title 12, Article 48 of the C.R.S., as amended; and

WHEREAS, the Town has the authority to charge a permit fee for the issuance of a special event permit.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Columbine Valley, Colorado as follows:

Section 1. A permit fee of \$150.00 is hereby established for the issuance of a Special Event permit with in the town of Columbine Valley.

Section 2. Should any one or more sections or provisions of this Resolution be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, the intention being that the various sections and provisions are severable.

Section 3. Any and all Resolutions or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided however, that the repeal of any such Resolution or part thereof shall not revive any other section or part of any Resolution heretofore repealed or superseded.

PASSED, ADOPTED AND APPROVED by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against this 17<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
JD McCrumb, Clerk

\_\_\_\_\_  
Richard Champion, Mayor





**Request for Board of Trustee Action**

**Date:** April 17, 2018

**Title:** Municipal Judge Appointment

**Presented By:** Lee Schiller, Town Attorney

**Prepared By:** Lee Schiller, Town Attorney

**Background:** Per section 2.36.030 of the Columbine Valley Municipal Code, the Board of Trustees may appoint qualified individuals to serve as Municipal Judge and may appoint additional judges as needed to conduct the business of the court or to preside in the absence of the presiding judge. Judges are appointed to a term of not less than two years.

The Town Attorney and Municipal Court Judge Jim Keil recommend to the Board James Stuart Bailey, Esq. to serve as the town's back-up municipal court judge.

**Attachments:** James Stuart Bailey, Esq. curriculum vitae

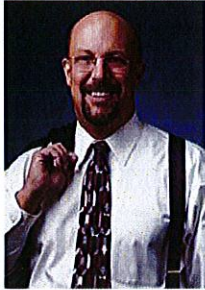
**Staff Recommendations:** Approve as presented

**Recommended Motion:** "I move to appoint James Stuart Bailey to the post of municipal court judge."



# James Stuart Bailey, Esq.

9/1/2017



Senn Visciano Canges P.C.  
1700 Lincoln Street, Suite 4500  
Denver CO 80203  
303-298-1122  
jsailey@sennlaw.com  
www.SennLaw.com

## PRACTICE AREAS

Civil Litigation/Complex Family Law/Probate Litigation/Appellate Law

## EDUCATION

University of the Pacific, McGeorge Law School

1992 Graduated with great distinction, Order of the Coif, Valedictorian.

University of Colorado

1988 Bachelor of Arts in Economics.

## EXPERIENCE

Shareholder/ Director/ Co-Managing Director  
Senn Visciano Canges P.C.

June 30, 2010 – Present.

Associate/ Partner/ Managing Partner  
Canges, Iwashko, Bethke & Bailey

Sept. 1993 – June 30, 2010.

Law Clerk | Hon. Chief Justice Luis D. Rovira  
Colorado Supreme Court

Sept. 1992 - Sept. 1993.

## HONORS AND AWARDS

- 2015 Avvo Superb Attorney; Colorado Super Lawyer, 2011-2014; Valedictorian Award for McGeorge School of Law in 1992: 1992 Outstanding Graduating Senior Award, the Amicus Lex, the One L, the Academic Achievement Scholarship, the Trainor, Robinson, Smits & Wade Real Property Award, the West Publishing Company Award for 1990-1991, American Jurisprudence Awards for Bankruptcy, Business Associations, Civil Procedure, Contracts, Criminal Law, Criminal Procedure, Real Property, Remedies, Sales, Torts and legal Research and Writing.



## **PUBLICATIONS**

- Editor in Chief, Pacific Law Journal, Volume 23 (1991-92).
- Reflections on My New iPad: The Ethical Implications of Technology (2016)
- Intake/Triage Checklist for the Initial Client Interview (2016).
- The Use of Experts in Domestic Cases, Practitioner's Guide to Colorado Domestic Relations Law (2013 – present)
- Co-Author with S. Epstein, Marital Agreements, Colorado Continuing Legal Education.
- Co-Author: Evaluation and Investigation Issues Concerning Parental Abduction, CPA Journal 2010.
- Author: Allocation of Loss for Forged Checks Under Articles 3 and 4 of the Proposed Revisions Thereto, 22 Pac. L.J. 1263, 1991.
- Co-Author with S. Dhaunda, Comment SB-2638 Review of Selected California Legislation, 22 Pac. L.J., 726, 1991.
- Legislative Review Writer, Volume 21, Pacific Law Journal, 1991.

## **SELECTED DECISIONS:**

- In re Marriage of DeKoning, 2014 WL43646 (Colo. App. 2014), cert. granted, reversed, In re Marriage of DeKoning, 2016 CO 2 (Colo. 2016).
- In re Estate of Schumacher, 253 P.3d 1289 (Colo. App. 2011)
- Sooper Credit Union v. Sholar Group Architects, P.C., 113 P.3d 768 (Colo. 2005)
- In re Marriage of Yates, 148 P.3d 304 (Colo. App. 2006)
- In re Marriage of Chalot, 112 P.3d 47 (Colo. 2005)
- In re C.G.G., 946 P.2d 603 (Colo. App. 1997)
- Yates v. Arkin, 242 Fed. Appx. 478, 2007 WL 1475268 (NSOP 10th Cir. 2007)
- In re Marriage of Gedgaudas, 978 P.2d 677 (Colo. App. 1999)

## **MEMBERSHIP – PROFESSIONAL ASSOCIATIONS**

- Colorado Bar Association
- Faculty of Federal Advocates
- Member, Family Law Section, Colorado Bar Association
- Member, Legislative Committee, Family Law Section, Colorado Bar Association
- Member, Ethics Committee, Colorado Bar Association
- Denver Bar Association
- Member, Denver Law Club
- Member, University Club



## PRESENTATIONS

- The Ethics of Assistants and Ethical Considerations on the Use of Investigators – Jan. 2017
- Triage Checklist for the Initial Client Interview – Sept. 2016
- Program Co-Chair – 2016 Family Law Institute – Sept. 2016
- Family Law Trial Advocacy Institute, Instructor – July 2014
- Best Practices of Client Communications – May 2014
- Instructor – 2014 Rocky Mountain Regional Program, NITA April 2014
- The New Uniform Marital and Premarital Agreement Act – Feb. 2014
- Ten Things You Need to Know About the Premarital and Marital Agreement Act – 2013
- The Use of Receivers in Domestic Actions – 2013
- Family Law Trial Advocacy Institute, a Joint Project of the American Bar Association Section of Family Law and the National Institute for Trial Advocacy – 2013
- Instructor – 2013 Rocky Mountain Regional Program, National Institute for Trial Advocacy
- Unintended Consequences: Interpretation and Enforcement Issues in Marital Agreements – 2012
- Instructor – 2012 Rocky Mountain Regional Program, National Institute for Trial Advocacy
- Family Law Trial Advocacy Institute, a Joint Project of the American Bar Association Section of Family Law and the National Institute for Trial Advocacy – 2012
- Avoiding the Practical and Ethical Pitfalls and Pratfalls in a Domestic Practice – Co-Presenter – 2011
- Using Private Investigators: Legal and Ethical Constraints – 2011
- Family Law Trial Advocacy Institute, a Joint Project of the American Bar Association Section of Family Law and the National Institute for Trial Advocacy – 2011
- Instructor – 2011 Rocky Mountain Regional Program, National Institute for Trial Advocacy
- Clients can be Dangerous: Best Practices – Trinidad, Colorado – 2011.
- Best Practices: Client Relations – Boulder Bar Association – 2011.
- Supervised Visitation and Abduction Risk – Albuquerque, New Mexico, 2010 Supervised Visitation Network Annual Conference.
- Supervision Risk Associated with Parental Abduction – 2010 Supervised Visitation Network Conference.
- Jury [De]-Selection – 2010 Rocky Mountain Regional Program Conference,



- National Institute for Trial Advocacy – Co-Presenter – 2010.
- Instructor – 2010 Rocky Mountain Regional Program, National Institute for Trial Advocacy
- Presentation to House Judicial Committee Concerning House Bill 1097 – 2010 House Judicial Committee, Colorado General Assembly.
- Presentation Concerning House Bill 1135 – 2010 House Judicial Committee, Colorado General Assembly.
- Legislative Review 2010 – 2010 Family Law Section, CBA.
- Co-Presentation: Disclosure under Rule 16.2: A Misguided New World – 2010 Family Law Section Luncheon.
- The Ethics of Clients: Best Practices – 2010 Colorado Springs Solo/Small Firm Conference.
- Clients Can Be Dangerous: Practical Advice – 2010 Boulder Bar Association.
- Trial Advocacy – 2010 Rocky Mountain Regional Program Conference, April Regional Program.
- Ethics – 2010, American Immigration Association Conference.
- Trial Skills: Litigation Advocacy – 2009 October National Institute for Trial Advocacy: Legal Service Program.
- An Attorney's Perspective: Deterring and Preventing Family Abductions – Metropolitan Denver Interdisciplinary Committee (MDIC).
- Legislative Update – 2009 Colorado Bar Association, Family Law Section, Legislative Update.
- Trial Skills: Trial Advocacy – 2009 April Rocky Mountain Regional Program, National Institute for Trial Advocacy.



**Request for Board of Trustee Action**

**Date:** April 17, 2018

**Title:** Board of Adjustments Appointments

**Presented By:** J.D. McCrumb, Town Administrator

**Prepared By:** J.D. McCrumb, Town Administrator

**Background:** Per section 2.44.020 of the Columbine Valley Municipal Code, the Board of Trustees may appoint qualified individuals to serve on the town’s Board of Adjustments. Each member is appointed to a term of three years.

Mayor Champion, the Town Attorney and Town Administrator recommend to the Board Dale Irwin, Mimi Kuchman, Jon Leonard, and Jere Maxwell for seats on the Board of Adjustments. Further recommended for consideration is Jim Tarpey for the position of Chairman of the Board of Adjustments. Each of these nominees would serve three-year terms to expire on January 18, 2021.

**Attachments:** None

**Staff Recommendations:** Approve as presented

**Recommended Motion:** “I move to approve the appointments of Dale Irwin, Mimi Kuchman, Jon Leonard, and Jere Maxwell as members to the Board of Adjustment until January 18, 2021, and Jim Tarpey for the position of Chairman of the Board of Adjustments for a term to expire on January 18, 2021.”