



2014

Minturn Council Meeting

Wednesday March 5, 2014

Executive Session: 5:00pm
(Town Center)

Work Session: 6:00pm
(Town Center)

Regular Session: 6:30pm
(Town Center)

TOP COUNCIL PRIORITIES:

- Street and Drainage Projects Eagle Street, Toledo, Norman, Nelson
- Submit Grants for Infrastructure and Prioritize/Create a Regular Schedule
- 100 Block Streetscape
- Sidewalks/ Engineering South Minturn
- Submit DOLA Grant for Microfiltration Plant
- Electronic Packets (I-Pads or Comparable)
- Loop Water Lines



Agenda

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday March 5, 2014

Work Session – 5:00 pm
Regular Session – 6:30 pm

MAYOR – Gordon “Hawkeye” Flaherty
MAYOR PRO TEM – George Brodin

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Aggie Martinez
John Rosenfeld
Darell Wegert

TOWN MANAGER– Jim White
INTERIM TOWN ATTORNEY – Matt Mire
TOWN CLERK/TREASURER – Jay Brunvand
TOWN PLANNER – Janet Hawkinson

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Regular Session – 5:00pm

- 1. Call to Order**
 - a. Roll Call
 - b. Pledge of Allegiance

- 2. Approval of Agenda**
 - a. Items to be Pulled or Added

EXECUTIVE SESSION

3. **Executive Session: Executive Session pursuant to: 1) C.R.S. §24-6-402(4)(b) - to receive legal advice on specific legal questions, regarding parking; and 2) C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager; 3) C.R.S. §24-6-402(4)(b)(e) - to receive legal advice on specific legal questions and to determine positions, develop a strategy and instruct negotiators regarding proposals for police services and discussion regarding Bolts Lake – White/Mire** Pg 5

Work Session – 6:00 pm

- Minturn Police Department discussion – Osborne
- Contractor Registration Ordinance – Metteer

Regular Session – 6:30pm

4. **Approval of Agenda**

- Items to be Pulled or Added

5. **Approval of Minutes and Action Report**

- February 19, 2014 Pg 6
- Action Item Report Pg 15
 - i. Eagle River Park Pg 16
 - ii. Other Action Items

6. **Liquor License**

- Ski Joring Special Event License, Town of Minturn, Michelle Metteer - Brunvand Pg 17

7. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**

8. **Special Presentations**

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. **Discussion/Action Item: Minturn Police Department discussion – Osborne** Pg 23

10. **Discussion/Action Item: Council Pay discussion as pertains to April 8, 2014 Election – Brunvand** Pg 33

11. **Discussion/Action Item: Code Enforcement Update - Metteer**

- 12. Discussion/Action Item: Ordinance 2 – Series 2014 (Second Reading) An Ordinance amending the Parking Plan for the Town of Minturn. – Hawkinson Pg 37**

Previous Action: Motion by Shelley B., second by John R., to approve Ord 2-2014 as presented on first reading. Motion passed 7-0

- 13. Discussion/Action Item: Resolution 6 – Series 2014 a Resolution of endorsement for Holy Cross funding for the purpose of park beautification at Little Beach Park and Eagle River Park – Brunvand Pg 42**

- 14. Discussion/Action Item: Resolution 7 – Series 2014 a Resolution decreasing the speed limit along Taylor St. and authorizing the installation of a three-way stop sign intersection on Taylor St. – Mire Pg 47**

- 15. Discussion/Action Item: Ordinance 3 – Series 2014 (First Reading) an Ordinance requiring registration of contractors conducting work requiring a permit. – Metteer Pg 50**

- 16. Discussion/Action Item: Eagle River Park funding for public restroom facilities – Hawkinson Pg 58**

- 17. Discussion/Action Item: Public recognition of Parking Variance letter – White Pg 59**

OTHER MATTERS

18. Planning Department Update

- Discussion of Town Goals/Action Plan - Hawkinson/Metteer/Martinez/Brunvand
- GOCO Grant Little Beach Park
- Technical Review Board – Hawkinson/Martinez

19. Staff Report Pg 60

20. Town Council Comments

EXECUTIVE SESSION

- 21. Executive Session: Executive Session, pursuant to: 1) C.R.S. §24-6-402(4)(b) - to receive legal advice on specific legal questions, regarding parking; and 2) C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager; 3) C.R.S. §24-6-402(4)(b)(e) - to receive legal advice on specific legal questions and to determine positions, develop a strategy and instruct negotiators regarding proposals for police services and discussion regarding Bolts Lake. Pg 5**

Note: this is a continuation of the 5pm Executive Session if necessary.

FUTURE AGENDA ITEMS

22. Next Meeting – March 19, 2014

- Discussion/Action Item: Resolution 2 – Series 2014 A Resolution endorsing the West Slope Principles and adopting the Eagle River Basin Principles for the Colorado Water Plan – White
- Work Session: Wastewater Master Plan update – Diane Johnson
- Discussion/Action Item: Ordinance ____ - Series 2014 (Second Reading) an Ordinance requiring registration of contractors conducting work requiring a permit. – Metteer
- Special Presentation/Proclamation: One Book One Valley – Lori Ann Barnes

23. Future Meetings:

- Discussion/Action Item: Ordinance __ - Series 2014 (First Reading) An Ordinance amending Minturn Municipal Code section 7-9-310, Protection of Wildlife
- Vail Valley Foundation Re: 2015 World Cup funding consideration (4/2/14)
- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with XCEL Representative – White
- Marijuana update – Town Attorney (4/16/14 Invite Ms. Barbara Allen to the meeting)
- Work Session – Consent Agenda discussion

24. Set Future Meeting Dates

- a) Council Meetings:
 - March 19, 2014
 - April 2, 2014
 - April 16, 2014
- b) Planning & Zoning Commission Meetings:
 - March 26, 2014
 - April 23, 2014
 - May 21, 2014

25. Other Dates:

- March 11, 2014 – Candidate Materials due to Town Clerk for Town Council Elections
- March 15 & 16 Ski Joring
- April 8, 2014 – Town Council Elections

26. Adjournment



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE**

MEMORANDUM

TO: Minturn Town Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Thursday, February 27, 2014
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session with the Attorney to discuss and direct Staff regarding a number of issues. The following motion is recommended:

“Recommended motion: “I move To convene in Executive Session, pursuant to: 1) C.R.S. §24-6-402(4)(b) - to receive legal advice on specific legal questions, regarding parking; and 2) C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager; 3) C.R.S. §24-6-402(4)(b)(e) - to receive legal advice on specific legal questions and to determine positions, develop a strategy and instruct negotiators regarding proposals for police services and discussion regarding Bolts Lake.

The Mayor will announce for the record if any direction is to be given as a result of the Executive Session once the Regular Session meeting reconvenes.

Please contact me in the event you have any questions.

Thank You, Jay



OFFICIAL MINUTES

MEETING OF THE MINTURN TOWN COUNCIL

**Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645**

Wednesday February 19, 2014

Work Session – 5:00pm

Regular Session – 6:30pm

MAYOR – Gordon “Hawkeye” Flaherty

MAYOR PRO TEM – George Brodin

COUNCIL MEMBERS:

Shelley Bellm

Earle Bidez

Aggie Martinez

John Rosenfeld

Darell Wegert

TOWN MANAGER– Jim White

INTERIM TOWN ATTORNEY – Kendra Carberry

TOWN CLERK/TREASURER – Jay Brunvand

TOWN PLANNER – Janet Hawkinson

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645

Work Session – 5:00pm

- Bolts Lake update from Cliff Thompson

Mr. Cliff Thompson talked to Dave Kleinkopf he is willing to meet. Would like to get some dates and set up a meeting. Fridays work best for Mr. Kleinkopf.

- Resolution 4 – Series 2014 a Resolution authorizing the Mayor to sign the settlement agreement with the Estate of Allen Christensen

- Minturn Police Department discussion – Osborne

Jim W. reported Avon Police Chief Ticer is interested in submitting a proposal and will get that in. Discussion regarding the hours worked of the Minturn Officers ensued. The proposals requested would include enforcement of our laws such as parking, snow removal, etc.

Council requested the Minturn officer on-call time be reduced. Four 10-hour shifts with one hour before and after the shift for on-call (twelve hours total). At March 5th meeting schedule a review of both the sheriff and Avon proposals and a review Town financials as relates to this.

- Discussion of Town Action Item – Hawkinson/Metteer/Martinez/Brunvand
Pick one or two projects to focus on and commit money for. Discussion ensued around the various projects the Council has reviewed over the years. The discussion leaned toward using BMR funds where we could and moving forward with Little Beach Park as well.

- Resolution 5 – Series 2014 a Resolution in support of the application for a GOCO grant to be utilized at Little Beach Park

- Council Pay discussion as pertains to April 8, 2014 Election – Brunvand
Move to March 5 Work Session and Action Item

- Council discussion to select interview questions and set a date to interview Attorney firms to fill the position of Minturn Town Attorney – White

- Taylor St Parking Plan and draft Ordinance – Hawkinson

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye Flaherty at 6:42pm.

a. Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George B., Earle Bidez, Shelley Bellm, Darell Wegert, John Rosenfeld, and Aggie Martinez.

Staff present: Town Manager Jim White, Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, Economic Coordinator Michelle Metteer, Econ Dev Director Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand.

b. Pledge of Allegiance

2. Approval of Agenda

a. Items to be Pulled or Added

- Move council pay to next meeting for Work Session and Action Item
- Move the interview questions to 10a

Motion by Shelley B., second John R., to approve the Agenda as amended. Motion passed 7-0.

3. Liquor license

- The Gourmet Cowboy, Inc Hotel/Restaurant Liquor License; 455 Main Street; Tom McNeil, Owner/Manager

Jay B presented for the Town.

Pursuant to Colorado Revised Statutes, 12-47-312(1), the applicant is hereby advised that with regard to the application for a Hotel and Restaurant Liquor License, an investigation has been made, and based on the results thereof, the following has been determined:

That the application was filed on January 9, 2014 in the Town Treasurer's office and a public hearing has been scheduled for Wednesday February 19, 2014. In accordance with C.R.S. 12-47-311(1) the Town must hold the application for not less than 30 days; this hearing date represents 41 days.

That the premise being considered has previously operated with a liquor license. This location will be a new Hotel and Restaurant licenses as opposed to a transfer of an existing license due to the fact no existing license is in force. The license previously held at this address and by this applicant was allowed to expire by oversight.

That the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on Friday January 7, 2014, at least 10 days prior to the hearing, and that the publication of the hearing was published in a newspaper of general circulation on January 5, 2014 at least 10 days prior to the Public Hearing.

That from the evidence submitted the applicant is leasing the premises where the proposed liquor license will be utilized from 5-76-99 Holdings, LLC., and that 5-76-99 Holdings, LLC. is the lawful owner of the premises. This lease expires on December 31, 2016

That selling liquor in the manner currently proposed in the application is not in violation of the zoning codes as stated in the Minturn Municipal Building Code – Chapter 16. This section states that for a Commercial Use less than 2,500 sqft is a use by right. This establishment is leasing approximately 3,103 sqft. and that the Minturn Planning Department has confirmed this operation will not require a Conditional Use and has sufficient parking as per Minturn Code.

That pursuant to C.R.S. 12-47-313(1)(d) – Restrictions for applications for new license, the building where the applicant proposes to exercise the privilege of selling liquor at retail does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.

That Minturn Police Department has conducted a background investigation on Thomas Edgar McNeill, the owner and manager of The Gourmet Cowboy and has found no conditions which would cause concern.

Motion by Shelley B., second by Aggie B., to approve the Gourmet Cowboy, Inc Hotel/Restaurant Liquor License; 455 Main Street; Tom McNeil, Owner/Manager as presented to include the following conditions. Motion passed 7-0.

- As a minimum the licensee, manager and a server be server trained by an authority such as T.I.P.S and that a certified server be on duty at all times while alcoholic beverages are served. This condition is recommended to be met prior to opening and updated as needed with documentation provided to the Minturn Police Dept.
- That the Liquor Authority emphasizes the requirement of operating an orderly establishment.
- That the fingerprints are returned with no material issues.

4. Approval of Minutes and Action Report

- February 5, 2014

Shelley B. noted the road changes were for the entire Town as well and would like that stated

Motion by John second Earle B., to approve the minutes of February 5, 2014 Council Meeting as amended. Motion passed 6-0. Darell W. abstained as he was not here.

- **Action Item Report**

Shelley B. stated we need to move forward with the Eagle Street Park restrooms to accommodate the grant and it should be extended to include TWO one stall restrooms. Hawkeye requested we ask ERWSD if we could get the sewer tap fee waived. Council agreed.

5. Public comments on items, which are NOT on the agenda (5 minute time limit per person)

Mr. Garth Koellhoffer, 434 Taylor, requested Jim White's termination based on the fact he is not enforcing the ordinances of the Town. He asked of the status of the investigation on the former Chief Lamb's letter, this letter was supported by Jim White, and it should have been a termination not a resignation. Mr. K. asked how Jim White did not know a business was being run at 4th and Taylor when David Clapp had been down three times to complain about the issues. Mr. K stated Jim White has violated the ICMA code of ethics and cited the specific tenants of the Code of Ethics that he has violated.

Mr. Rob Baumgarten, 561 Main St., was concerned that there was a possible trailhead parking lot being proposed at the north end of Taylor St. He felt this was a mistake, it would be a detriment to the neighborhood, and that it had not been well publicized for public hearings. He stated adding a parking lot would encourage more traffic in the area. He felt the notice he received for having his trash can in the right of way and that the Town has its own trash can in the right of way in the same area.

6. Special Presentations

- Recreational Marijuana shops; Barbara Allen – White

Ms. Barbara Allen, 4130 Eagle Bend Dr, requested a letter to the Eagle County Commissioners from the Town of Minturn stating their support of a ban on the retail sale of marijuana on Hwy 6 corridor between Dowd Junction and Eagle.

Hawkeye asked Council if they wanted to study this in a work session or direct a letter be sent. Matt M. stated he has an upcoming presentation of the status of the state laws. Council agreed this request should be discussed with that presentation. Council felt they were not prepared to vote either to support or not support the request. This item will be addressed at the April 16th Council meeting when the Interim Town Attorney presents his marijuana update and Ms. Allen will be invited to that meeting.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

7. Discussion/Action Item: Minturn Police Department discussion – Osborne

Hawkeye stated the Council is considering whether to contract out the PD or maintain our own department by accepting bids from the various local agencies. This will be on the next Work Session and meeting.

8. Discussion/Action Item: Resolution 4 – A Resolution authorizing a settlement payment in the amount of \$45,000 to the Estate of Allen C. Christensen – White

Hawkeye detailed the issues.

Motion by John R., second by Shelley B., to approve Resolution 4 – Series 2014 a Resolution authorizing a settlement payment in the amount of \$45,000 to the Estate of Allen C. Christensen as presented. Motion passed 7-0.

9. Discussion/Action Item: Resolution 5 – Series 2014 a Resolution in support of the application for a GOCO grant to be utilized at Little Beach Park – Hawkinson

Janet H. outlined that this is a grant through GOCO and we are required to have a Resolution indicating Council support. John R. stated grant requests are very time consuming and commended staff on their efforts and time committed.

Motion by Shelley B., second by George B., to approve Resolution 5 – Series 2014 a Resolution in support of the application for a GOCO grant to be utilized at Little Beach Park as presented. Motion passed 7-0.

10. Discussion/Action Item: Ordinance 5 - Series 2014 (First Reading) an Ordinance amending the Parking Plan for the Town of Minturn. – Hawkinson

Janet H. outlined the issues. This amends the traffic needs of the Town to allow the Town to set parking and roadway flow. The Ordinance is not specific to one area of Town, rather it is

applicable Town wide; however, it does not affect Hwy 24 as that is under the CDOT purview and jurisdiction.

Motion by Shelley B., second by John R., to approve Ordinance 5 - Series 2014 (First Reading) An Ordinance amending the Parking Plan for the Town of Minturn as presented. Motion passed 7-0.

10a: Discussion/Action Item: Set up date for Attorney Interviews

Note: This meeting is set for Monday March 3 and will be posted as an Executive Session to begin at 5pm. Michelle M. will contact the selected candidates to set up the schedule and will coordinate the selection of questions from the Council Members.

OTHER MATTERS

11. Planning Department Update

- Continued discussion of Town Goals - Hawkinson/Metteer/Martinez/Brunvand Janet H. is looking for in-kind contributions that she can report with the GOCO grant for Little Beach Park to show community support. Hawkeye recommended we use the Holy Cross \$2,000 funds for commitment to this project.

Janet H. stated we are looking at another grant for the Boneyard and upgrades to it.

- Submitting GOCO Grant - need in-kind contributions

12. Staff Report

Janet H. stated the report is in the packet and would entertain questions.

13. Town Council Comments

Shelley B. stated that the alternating sides of Main Street parking for snow removal is not being enforced, she asked that we keep this as an enforcement priority.

Earle B. asked for an update on Ski Joring. Michelle M. noted we have a new arrangement whereby they will be doing the leg work and everything is progressing nicely. The event was moved to March 15-16 as it was in conflict with another Ski Joring event.

Aggie M. asked for an update on the attorney fees. Matt M. stated some of this was for the Police Chief investigation and CIRSA will be covering much of this.

Michelle M. asked for direction regarding the contractor staging area at the snow dump. Hawkeye asked this be put on a work session for in-depth discussion. The intent is for Minturn to gain from some of these contractors.

George B. asked that Dave Kleinkopf be contacted and requested to have him at a regular meeting were the entire Council could hear him and then send it to the Committee.

George B. asked for an update on the BMR money, what has been spent to date, and what is earmarked as well as a review of the specific escrow conditions, annexation conditions, conditions for approval, and any future funding agreement.

Shelley B. stated the Church on Pine St is also a conditional use and would like it and its conditions added to the list. She recommended that the list be reviewed as well so that the conditions can be enforced.

Michelle M. stated this is a quick list, more will be added and it will take lots of review.

Earle B thanked the Staff for their work in the past three weeks. He stated the work that was produced has been huge and has been very much appreciated.

Public Works was appreciated for their work during the recent large storms.

EXECUTIVE SESSION

14. Executive Session: Executive Session, pursuant to: 1) C.R.S. §24-6-402(4)(b) - to receive legal advice on specific legal questions, regarding parking; and 2) C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager – White/Mire

Hawkeye stated that the Town Manager should be involved in this meeting. Earle B. stated the meeting should proceed as scheduled. Discussion ensued as to the need for the Council to discuss the issues. Several Council members felt that they had been kept uninformed of numerous events by the Town Manager. Matt M. stated the manager has been informed of the agenda item and he has the right to have this as a public meeting. Jim W., through Matt M., declined the meeting to be held in public.

Motion by Shelley B., second by Earle B., to convene in Executive Session, pursuant to: 1) C.R.S. §24-6-402(4)(b) - to receive legal advice on specific legal questions, regarding parking; and 2) C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager. Motion failed 4-3 Note: requires a 2/3 majority to pass. Earle B., John R., Darell W., Shelley B. Yea; Hawkeye, Aggie M., George B. Nay.

Motion by Earle B., second Shelley by 24-6-402(4)(b) to discuss the parking and executive session rules of process. Motion 5-2, Hawkeye and Aggie M. Nay.

Council came out of the Executive Session.

Motion by Earle B., second by Shelley B., to convene in Executive Session, pursuant to C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager. Motion passed 6-1

Note: requires a 2/3 majority to pass. Earle B., John R., Darell W., Shelley B., George B., and Aggie M. Yea; Hawkeye Nay.

Direction to staff as a result of the Executive session:

- Interim Town Attorney to draft a response to Taylor Ave parking variance letter written by former Police Chief Lamb.
- Add Executive Session pursuant to C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager to the next meeting.

FUTURE AGENDA ITEMS

15. Next Meeting – March 5, 2014

- Special Presentation – ERWSD Wastewater Master Plan
- Discussion/Action Item: Resolution 2 – Series 2014 A Resolution endorsing the West Slope Principles and adopting the Eagle River Basin Principles for the Colorado Water Plan – White
- Discussion/Action Item: Ordinance __ - Series 2014 (Second Reading) An Ordinance amending the Parking Plan for the Town of Minturn. – Hawkinson
- Discussion/Action Item: Ordinance __ - Series 2014 (First Reading) An Ordinance amending Minturn Municipal Code section 7-9-310, Protection of Wildlife
- Executive Session pursuant to C.R.S. §24-6-402(4)(f) - to discuss personnel matters, regarding the Town Manager

16. Future Meetings:

- Discussion/Action Item: Ordinance __ - Series 2014 (First Reading) An Ordinance amending Minturn Municipal Code section 7-9-310, Protection of Wildlife
- Vail Valley Foundation Re: 2015 World Cup funding consideration (4/2/14)
- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with XCEL Representative – White
- Marijuana update – Matt Mire (4/23/14)

17. Set Future Meeting Dates

- a) Council Meetings:
 - March 5, 2014
 - March 19, 2014
 - April 2, 2014
- b) Planning & Zoning Commission Meetings:
 - February 26, 2014
 - March 26, 2014
 - April 23, 2014

18. Other Dates:

- February 18, 2014 – Candidate Materials available for Town Council Elections
- March 15 & 16 Ski Joring
- April 8, 2014 – Town Council Elections

19. Adjournment

Motion by John R., second by Aggie M., to adjourn the meeting at approximately 10:37pm.

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand

Minturn Town Council Goals 2014

Infrastructure Goals

- 12" valves on Toledo & Main Street
to complete isolation valves project
(part of 2013 action items -
incomplete due to weather)
Funding: \$00 - DOLA Grant?
- Harrison Water Looping
-part of 2013 Action Items - weather
ended project
Funding: \$00 - DOLA Grant?
- Nelson Avenue Paving
Is it a private road or public?
Can residents help with funding?
Funding: \$00
- Norman Avenue Paving
A resident offered to help fund project.
Other resident funding?
Funding: \$00
- New Cinder Sheds at Public Works
They are becoming a safety hazard.
These are necessary to keep materials
from freezing & unable to use for street
safety during winter.
Funding: \$00
- Water Plant Fencing
2011 quote was 15,000.00
Funding: \$00

Parks & Open Space Goals

- Little Beach Park Remodel
remove asphalt road, build ADA trail,
repair erosion to river, public rest-
rooms, sewer & water,
indoor/outdoor pavilion
Funding: \$250,000 Battle Mtn
- Conservation Easement Open Space
design master plan, register with
Land Trust, clean-up debris, build
trails, public restrooms/outhouses,
pedestrian bridge, river access for
boating, fishing, tubing, etc...
Funding: \$40,000 Conservation Trust
\$00 for additional work

Economic Dev. Goals

- Entrance Overhead Sign
Welcome to Minturn Sign, des-
ignate entrance and downtown
area
Funding: \$00
- 100 Block - Minturn Market
enhance main crosswalk,
landscape area, replace side
walks on east side
- Way Finding Signs
design & install signs in Town
Funding: \$00
- I-70 Attraction Signs
estimate of \$2,000
Funding: \$00

Eagle River Park-Historic Walk1

ID		Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1			Historic Walk in the Park	141 days	Wed 1/15/14	Wed 7/30/14		Janet Hawkinson,Michelle Metteer
2			Grant Funding Management	141 days	Wed 1/15/14	Wed 7/30/14		Jay Brunvand
3			Research Photos	29 days	Tue 1/21/14	Fri 2/28/14		Janet Hawkinson,Michelle Metteer,Cliff Thompson,Michael Jackson
4			Design signs	24 days	Wed 2/26/14	Sun 3/30/14	3	Janet Hawkinson,Michelle Metteer
5			Sign Sponsorship Campaign	38 days	Mon 3/10/14	Wed 4/30/14	4,3	Jim White,Janet Hawkinson
6			Signs Manufactured	40 days	Mon 4/7/14	Fri 5/30/14	4,3,5	Michelle Metteer
7			Park Maintenance	9 days	Mon 4/21/14	Thu 5/1/14		Arnold Martinez,Janet Hawkinson,Michelle Metteer
8			Install Signs	11 days	Mon 6/2/14	Mon 6/16/14	7	Arnold Martinez
9			Create Outdoor Classroom & river Access	44 days	Tue 7/1/14	Fri 8/29/14	7	Arnold Martinez,Janet Hawkinson,Michelle Metteer
10			i70 Attraction Signs	11 days	Wed 6/25/14	Wed 7/9/14	17	Michelle Metteer
11								
12			Public Restroom	76 days	Mon 2/17/14	Sun 6/1/14		Arnold Martinez,Janet Hawkinson,Jim White,Michelle Metteer
13			Design	39 days	Mon 2/17/14	Thu 4/10/14		Janet Hawkinson
14			Planning Commission Approval	6 days	Wed 3/12/14	Wed 3/19/14		Janet Hawkinson
15			Council Approval	0 days	Wed 4/2/14	Wed 4/2/14	14,13	Janet Hawkinson
16			Hire Contractor	6 days	Mon 4/7/14	Mon 4/14/14		Janet Hawkinson,Jim White
17			Bathroom Installation	18 days	Fri 5/2/14	Tue 5/27/14	7,14,13	Arnold Martinez,Janet Hawkinson



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
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treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE**

MEMORANDUM

TO: Mayor, and Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Thursday, February 27, 2014
RE: Special Event Permit – March 15 and 16, 2014

SUMMARY:

At tonight's meeting the Council is asked to approve a Special Event Permit for the Ski Joring event presented by the Town of Minturn scheduled for March 15 and 16, 2014. The location of this license is along Minturn Road in the Taylor Street area of Town. The attached documentation indicates the compliance with the posting of the site and the event.

PREVIOUS COUNCIL ACTION:

None.

STAFF RECOMMENDATION:

Approve the request as presented with the detailed conditions.

RECOMMENDED MOTION:

I move to approve the proposed Special Event Permit to sell malt, vinous and spirituous liquor beverages to be located on Minturn Road as defined on the attached location map as presented with the following conditions:

- The application was received on February 19, 2014 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on February 21, 2014 at least 10 days prior to the Council Meeting consideration.
- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- Staff requests that at least one experienced T.I.P.S certified, or equivalent, server be present at all times while alcoholic beverages are sold. We would like that those servers and certifications be identified to us in advance.
- Staff requests each entrance/exit be monitored to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.

ATTACHMENTS:

- Application

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

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

- | | | |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL | <input checked="" type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE Town of Minturn	State Sales Tax Number (Required) 98-07290-0000
---	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) PO Box 309 Minturn, CO 81645	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) Minturn Rd Minturn, CO 81645
---	---

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Michelle Metteer	04/07/1974	2100 Old Trail Rd, Avon, CO 81620	970-409-8909
5. EVENT MANAGER Michelle Metteer	04/07/1974	2100 Old Trail Rd, Avon, CO 81645	970-409-8909

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
---	--

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

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

Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
03/15/14		11:30 a	5:00 p	03/16/04		11:30 a	5:00 p								

OATH OF APPLICANT

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

SIGNATURE 	TITLE Economic Development	DATE 2/19/14
---------------	-------------------------------	-----------------

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

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

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
SIGNATURE	TITLE	DATE

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

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$.

APPLICATION INFORMATION AND CHECKLIST

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

- Appropriate fee.
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions.
Note: If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; or
- If not incorporated, a NONPROFIT charter; or
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

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

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

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

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



Taylor St

4th Ave

Mintum Rd

Mintum Rd

N Main St

Point of Sale
SEWAGE TRENCH

10'

FENCING

N Lino Blvd



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, CLERK/TREASURER/FINANCE**

MEMORANDUM

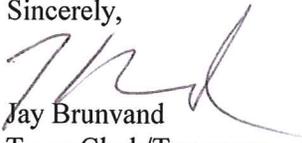
TO: Town of Minturn
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Friday, February 21, 2014
RE: Special Event Liquor Permit

I am in receipt of your Special Event Permit application for an event to be held on March 15 and 16th on Minturn Road as defined in your submitted application.

This location is a Town owned venue. In order to serve liquor you will need the Town's permission and approval of the event as back up detail for your permit application. Please consider this letter authorization from the Town of Minturn to utilize the venue as requested.

Please feel free to contact me in the event you have any questions.

Sincerely,


Jay Brunvand
Town Clerk/Treasurer



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, CLERK/TREASURER/FINANCE**

MEMORANDUM

TO: Minturn Police Dept
Matt Mire, Interim Town Attorney
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Thursday, February 27, 2014
RE: Special Event Permit

I am in receipt of a Special Event Permit submitted by the Town of Minturn for an event along Minturn Road near the Taylor St area of Town on March 15 and 16, 2014. Could you please conduct your review and report back in writing your findings. I will be available to work with you in the event you have any questions.

I have scheduled this for Council review on March 5th. Note, because this is a Special Event Permit, only the Town approves the application, the State is informed of the event but they do not approve the application as is done with a Liquor License application.

Please feel free to contact me in the event you have any questions.

Sincerely,

Jay Brunvand
Town Clerk/Treasurer

Lisa Osborne
Court Clerk
P.O. Box 309 ♦ 302 Pine St
Minturn, CO 81645
970-827-5645
losborne@minturn.org
www.minturn.org



Town Council
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilwoman – Shelley Bellm
Councilman – Earl Bidez
Councilman – Darell Wegert
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Minturn Police Department Calls For Service
MEETING DATE: March 5, 2014
PRESENTER: Lisa Osborne
BACKGROUND: Based on the ongoing discussions in reference to the Minturn Police Department services, it was requested statistics be gathered pertaining to the officer’s Calls for Service. A Call for Service may entail the officer returning a telephone call, responding to an alleged criminal offense (theft, domestic violence), conducting a Vehicle Identification Number inspection, community policing or conducting business checks. This by no means is an exclusive list of the types of Calls for Service the officer may respond to during his shift.
CORE ISSUES: Gather information as to how often the officer responds to Calls for Service while on duty as opposed to while “on call”.
STAFF RECOMMENDATION/MOTION: Not applicable

Lisa Osborne
Court Clerk
P.O. Box 309 ♦ 302 Pine St
Minturn, CO 81645
970-827-5645
losborne@minturn.org
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Councilman – Darell Wegert
Councilman – Aggie Martinez
Councilman – John Rosenfeld

TO: Minturn Town Council
FROM: Lisa Osborne
SUBJECT: Requested Statistics Regarding Calls for Service (CFS)
DATE: February 28, 2014

It was requested to gather statistics in reference to Officer Donfris and Calls for Service (CFS) he responded to while on duty as compared to CFS received while he was on “call”. A Call for Service can be a call initiated by the officer (i.e. a business check), a citizen, business owner or visitor may stop by Town Hall requesting assistance or a call can be given to the officer through the Vail Public Safety and Communications Center (Dispatch). In addition, a Call for Service does not necessarily mean the officer needed to respond in person, a portion of calls are resolved by a telephone call/conversation. The CFS numbers for the past three months are listed below for your reference:

Calls For Service Month	Number of Calls While on Duty	Number of Calls While on Call Status	Total Calls For Service For the Month
December 2013	32	8	40
January 2014	57	8	65
February 1-26, 2014	38	8	46

Please know the officer’s shift each week had been from 4:00 p.m. to 2:00 a.m., Wednesday through Saturday. As of February 26, 2014, the officer now works 6:30 a.m. to 4:30 p.m. Wednesday and Thursday, then on call 4:30 p.m. to 6:30 p.m.; 9:00 a.m. to 7:00 p.m. Friday and Saturday, on call Friday 7:00 p.m. to 9:00 p.m.; and then goes off duty each week on Saturday at 7:00 p.m. Due to his shifts prior to February 26, 2014, almost all calls the officer received during his “on call” time were during the morning hours (i.e.7:00 a.m. to 11:30 a.m.). A few of the calls were in the early morning hours around 4:00 a.m.

When the officer is called out during his “on call” time, sometime during his four day shift that week he will then take that equivalent amount of time off so that he still works a total of four ten hour shifts.

POLICE DEPARTMENT PROFORMA						
DESCRIPTION	ACCOUNT NUMBER	APPROVED 2013 BUDGET	SUPPLIMENTAL 2013 BUDGET	2013 EST YEAR TRIAL BALANCE	ADOPTED 2014 BUDGET	Changes 2014 BUDGET
MUNICIPAL COURT (XX-03-XXXX)						
PAYROLL - TOWN JUDGE	01-03-5010	6,450.00	6,450.00	6,450.00	6,450.00	6,450.00
FICA EXPENSE	01-03-5092	495.00	495.00	495.00	495.00	495.00
SUPPLIES - OFFICE	01-03-5110	150.00	150.00	136.96	150.00	150.00
SUPPLIES - COMPUTER	01-03-5120	0.00	0.00	0.00	0.00	0.00
PURCHASE SERVICES - ATTORNEY/TRANSLATOR	01-03-5216	15,000.00	15,000.00	9,127.16	15,000.00	15,000.00
PURCHASE SERVICES - EQUIPMENT R&M	01-03-5217	0.00	0.00	0.00	0.00	0.00
SUBTOTAL: COURT		22,095.00	22,095.00	16,209.12	22,095.00	22,095.00
POLICE DEPARTMENT (XX-04-XXXX)						
PAYROLL - POLICE CHIEF	01-04-5010	71,800.00	80,600.00	82,640.06	69,350.00	69,350.00
PAYROLL - SARGENT(S)	01-04-5011	0.00	0.00	0.00	0.00	0.00
PAYROLL - PATROL OFFICER(S)/CLERK	01-04-5012	136,000.00	138,249.79	104,899.86	138,100.00	182,793.00
PAYROLL - OVERTIME/STIPEND	01-04-5017	17,100.00	17,100.00	5,700.00	17,100.00	10,400.00 *
MEDICAL AND DISABILITY	01-04-5091	76,500.00	76,500.00	49,423.76	69,000.00	121,940.00
FICA EXPENSE	01-04-5092	9,800.00	9,833.00	5,277.51	9,833.00	13,983.66
POLICE PENSION CONTRIBUTION	01-04-5095	20,950.00	20,950.00	14,752.76	20,950.00	20,455.00
FPPA D&D (NEW HIRES 2.6%)	01-04-5096	0.00	0.00	0.00	0.00	0.00
SUPPLIES - OFFICE	01-04-5100	1,250.00	2,300.00	2,281.67	1,250.00	1,250.00 *
MEDIA NOTICE AND EMP'EE FEES	01-04-5110	575.00	575.00	612.95	0.00	0.00
SUPPLIES - COMPUTER/EQUIPMENT	01-04-5120	0.00	0.00	0.00	0.00	0.00
SUPPLIES - VEHICLE FUEL AND SUPPLIES	01-04-5130	5,000.00	5,000.00	5,183.09	5,000.00	5,000.00 *
PURCH SERV - TELEPHONE AND 911	01-04-5200	3,000.00	3,000.00	2,883.39	3,000.00	3,000.00 *
PURCH SERV - UTILITIES	01-04-5210	0.00	0.00	0.00	0.00	0.00
PURCH SERV - VEHICLE R&M	01-04-5231	5,000.00	9,500.00	9,118.10	5,000.00	5,000.00
PURCH SERV - LAB FEES	01-04-5235	100.00	100.00	20.00	100.00	100.00
PURCH SERV - PRISONER UPKEEP/SUPPORT TRAINING	01-04-5239	100.00	100.00	0.00	100.00	100.00
PURCH SERV - VICTIM RESTITUTION	01-04-5240	0.00	4,250.00	4,410.93	1,000.00	1,000.00
PURCH SERV - DISPATCH SERVICES	01-04-5245	43,500.00	43,500.00	42,350.11	41,500.00	41,500.00 *
PURCH SERV - ECO SHERIFF SERVICES	01-04-5246	6,500.00	6,500.00	5,742.00	6,500.00	6,500.00 *
PURCH SERV - TRAINING & DEVELOPMENT	01-04-5265	3,000.00	6,500.00	5,707.96	3,000.00	3,000.00
PURCH SERV - UNIFORM PURCH/MAINT	01-04-5271	2,400.00	2,400.00	2,158.23	2,400.00	2,400.00 *
PURCH SERV - EQUIPMENT R&M	01-04-5291	2,000.00	2,000.00	1,344.97	2,000.00	2,000.00
PURCH SERV - COMPUTER R&M	01-04-5292	0.00	0.00	0.00	0.00	0.00
PURCH SERV - VEHICLE LEASE/PURCHASE	01-04-5350	0.00	0.00	0.00	0.00	0.00
PURCH SERV - EQUIPMENT LEASE/PURCHASE	01-04-5351	3,900.00	3,900.00	0.00	5,000.00	5,000.00
PURCH SERV - GRANT EXPENSE	01-04-5355	0.00	0.00	0.00	0.00	0.00
SUBTOTAL: POLICE		408,475.00	432,857.79	344,507.35	400,183.00	494,771.66
SUBTOTAL: COURT/POLICE		430,570.00	454,952.79	360,716.47	422,278.00	516,866.66
CURRENT 2014 BUGET					422,278.00	422,278.00
VARIANCE					0.00	-94,588.66
2014 Capital Asset Schedule allows for a new car at \$30,000 complete						
Court could go away						
2014 Adopted Budget includes 1 Chief, 2 officers, 1 clerk						
2014 Change budget includes 1 Chief, 3 officers, 1 clerk						
2014 Change Budget employee ins is based on family coverage						
Court attorney fee does not include Town attorney costs if any						
* = Items that you would anticipate changing with 4 officers						

Initial Proposal for Avon Police Services to the Town of Minturn: February 27, 2014.

This proposal will outline approximate costs to provide law enforcement service to the Town of Minturn by Avon Police Officers through an agreed upon contract. The proposal will detail services of three police officers assigned to Minturn. This will entail service for 11.5 hours per 24 hour period, with law enforcement response from the Town of Avon during off peak times. The third officer will address coverage for sick time, vacation time, training, detective resources, and general administrative time. Additional resources from the Avon Police Department may be tasked to assist officers assigned to Minturn during critical incidents or incidents requiring more than one police officer. It is important to note that this proposal has been requested within a short time frame; therefore, a final proposal will be needed to articulate more precise costs for contractual services.

The Avon Police Department is a full-service, nationally and state accredited law enforcement agency, committed to their mission statement, "Make a Difference." The Goals of the Police Department are: "Through our service and community partnerships we are focused on education, crime reduction/deterrence, and traffic safety. The Police Department consists of 20 employees, including the chief, lieutenant, three sergeants, detective, twelve police officers, and two administrative service officers.

Three Police Officers (mid-range salary):

Salary and Employee Related Expenses-	\$238,595
Overtime-	\$12,000
Police Academy Costs-	\$12,600
Costs for Field Training-	\$5,200
Equipment/Uniforms/Vests-	\$17,600
Annual Training-	\$3,000
Total-	\$288,995

To fulfil this proposal, the Avon Police Department would have to send three new recruits to the Police Academy during the summer of 2014. Upon graduation at the end of summer, the new officers would enter the Avon Police Department Field Training Program, with completion of the program in December of 2014. The three new officers would not be available for solo patrol until the end of this year.

Police Vehicle (2 Chevrolet Tahoes)-replace every five years:

Initial purchase costs, including police equipment-	\$96,000
Annual Costs of Vehicle (fuel, maintenance, service)-	\$18,000
Fuel-\$10,000. Maintenance \$8,000	
Total:	\$106,000

Administrative Costs:

Evidence Custodian-

Records Management-
 Administrative Support through Supervision to include element
 of time associated with workload of Chief, Lieutenant,
 Sergeants, and Detective- **\$30,000**

Radio Communications:

Car Radios-	\$8,000
Three hand held radios-	\$10,000
Costs for Vail Dispatch Service	\$32,000
800 MHz Subscriber Fee	\$9,000
Total:	\$59,000

Replacement of vehicle/equipment charges

There will have to be an agreement regarding vehicle and equipment replacement, lifespan agreements etc.

Municipal Court:

There are options to be further discussed and considered. Costs to administer this service are still to be determined.

- 1- Officers cite into the Town of Minturn Municipal Court.
- 2- Officers cite into the Town of Avon Municipal Court.

Logistically and philosophically this would have to be further dialogued.

Current Administrative Position in Minturn PD:

Further discussion is needed to determine whether or not to retain this position as a position with the Town of Minturn or migrate to the Town of Avon Police Department.

If filled with the Town of Avon, this position would be classified as an Administrative Services Officer (ASO).

ASO-Mid Range with Employee Related Expenses-	\$73,243
---	-----------------

Supervision of the Contractual Service:

This responsibility would rest with the Avon Police Chief, with delegation to the Avon Police Lieutenant and field sergeants. The Chief would liaison with the Minturn Town Manager on contractual services. The Chief would continue to direct report to the Avon Town Manager for final approvals when needed.

Implementation timetable:

The proposed partnership between the Town of Avon and the Town of Minturn for the provision of professional police services will take some time. The Avon Police Department will have to hire the 3 officers and based on the past two years and our recruitment campaign, we will have to put the recruit officers through a police academy. There is an academy starting in May, finishing in late August. The officers will then go through a 16-week field training program and would be ready to fulfill the role of patrol officer by December 2014. In order to accomplish this, the Town of Minturn would have to start paying salary for those 3 officers in May but would not have a direct benefit of those officers until December.

In the intervening period, police services could be provided on the following basis. Avon PD would respond to 911 calls and other calls for service on a call by call basis. Avon Officers would not be able to provide any daily patrol or traffic enforcement presence in the Town of Minturn outside of the aforementioned responses. The Town of Minturn could hire Avon Police Officers on an extra duty overtime basis to work patrol/ traffic enforcement on their days off. This could work on a minimum of 3 hours a day up to a 10 hour day based on Town of Minturn requirements.

Summary:

This proposal does not expand upon increase in salaries, or operational costs from year to year. This can be expected with an improving economy and increases in costs for equipment. A significant area of concern would be the length of contract if this proposal is accepted because if the Town of Minturn decides to not renew, the Avon Police Department would not have the ability to absorb the salaries of the three assigned officers.

Lastly, the Avon Police Department is a very community orientated-proactive Police Department and I would request following Town Council Work Sessions, that Community Focus Groups be organized to discuss philosophies and operational policies to ensure fit for the community.

Sincerely,

Robert L. Ticer
Chief of Police
Avon Police Department

MINTURN LAW ENFORCEMENT PROPOSAL 2014

SITUATION: The Town of Minturn is having a hard time hiring and retaining qualified law enforcement professionals to patrol their town. The Eagle County Sheriff's Office is tasked with responding to calls for service in the incorporated Town of Minturn when no Minturn Police Officer is available. Therefore, the ECSO proposes to contract with the Town of Minturn to provide law enforcement services 24/7/365. This proposal was prepared by Undersheriff Mike McWilliam, Eagle County Sheriff's Office on 01/29/2014.

PERSONNEL: The Minturn Police currently has potential staffing of a Chief and two Police Officers to cover the Town 24/7/365. Some of the time an officer is on duty and some of the time there is an on-call officer. The ECSO proposes to hire two additional Patrol Deputies to provide services to Minturn. The Deputies could be on a modified day shift of 11.5 hours seven days a week. The ECSO Undersheriff and Minturn Town Manager could work out shift hours to meet the needs of the community. The Minturn Deputies would leave the Town during emergencies in other parts of the county, such as for court in Eagle, for vehicle maintenance in Gypsum, and other times as needed. The Deputies would strive to be in the Minturn Town Limits for approximately 10 hours per day.

The ECSO Deputies in Division I (Eagle Vail) and Division II (Edwards) would handle calls for service in Minturn when a Minturn Assigned Deputy is not on duty. The ECSO has 24/7/365 coverage in the unincorporated sections of Eagle County.

The Deputy would cost about \$60,000 per year salary, \$30,000 per year benefits, plus about \$10,000 for training, uniforms, equipment, etc. for a total of \$100,000 per year each (\$200,000 for 2 deputies).

The on-duty ECSO Patrol Sergeant will be responsible for supervision and discipline of the Minturn assigned Deputies. The Town of Minturn can have input into which Deputies provide services to the town but the final decision maker is the Sheriff.

The Minturn Police have a clerk that handles reports, evidence, court issues, etc. The ECSO proposes this person continue to be funded by the Town of Minturn, independent of a contract with the ECSO. Minturn Deputies would generate reports through the ECSO report system. They would be approved by the ECSO Patrol Lieutenant and then available to Minturn citizens through Intergraph at the Minturn PD. The Minturn Clerk could enter NIBRS data for Minturn, manage Registered Sex Offenders in Minturn, and enter Minturn Municipal Warrants in NCIC / CCIC.

Should law enforcement demand change in Minturn (such as development of the GINN property) the ECSO reserves the right to negotiate for more staffing in a contract to cover that demand.

VEHICLES: The Town of Minturn currently provides vehicles for their police officers. These vehicles do not meet the standards of the ECSO. The ECSO would purchase two vehicles (most likely Chevy Tahoes due to winter conditions in Minturn) and fully equip them. These vehicles could have “Minturn Police” markings with a “services provided by Eagle County Sheriff” sticker. The Town of Minturn should assure that non-law enforcement personnel do not drive current marked Town of Minturn Police Vehicles and the police markings should be removed before non-law enforcement uses by the Town.

The purchase cost of the ECSO vehicles is approximately \$32,000 with approximately \$20,000 worth of equipment and installation. The total cost of two vehicles would be about \$104,000. The ECSO pays the Eagle County Motor Pool approximately \$1,100 per vehicle per month to maintain, insure, and replace the vehicle & equipment at the end of their service life. The ECSO proposes to request Capital Improvement Program (CIP) funds to purchase and equip the vehicles and pass this cost into the contract at a rate of \$2,200 per month per vehicle over 4 years.

EVIDENCE: Any evidence collected by ECSO Deputies will be stored in the ECSO Evidence Vault in Eagle. Any evidence or weapons currently at the Minturn Police Department will be the property of the Town of Minturn and no ECSO personnel will have access to or handle any Town of Minturn evidence, weapons, or property.

ADMINISTRATION DUTIES: The ECSO Evidence Custodian and Records Manager will be part of this contract with no additional charge. The ECSO HR Director, ECSO Patrol Lieutenant, ECSO Patrol Sergeants, ECSO Undersheriff, ECSO Detectives, and ECSO K9 Deputies will all be part of this contract with no additional charges.

RADIO / DISPATCH SERVICES: The Town of Minturn currently spends \$9,805 for radio usage fees and \$33,015 for Dispatch Services through the Vail Communications Center. The ECSO proposes to absorb any costs of radios and dispatch for our two additional Deputies. Minturn Public Works currently has radios on the Eagle County 800 system under the Police Department billing. The ECSO would look at the cost of paying for those radios and use under the ECSO billing. Current Town of Minturn radios would stay as Minturn property.

SPECIAL OPERATIONS UNIT (SWAT): The Eagle County Special Operations Unit (SOU/SWAT) is a combined unit with personnel from the Vail Police Department, Avon Police Department, and Eagle County Sheriff's Office. They operate throughout Eagle County for high risk tactical operations, beyond the safe scope of activities for patrol officers. This team is available for use in the Town of Minturn at no additional cost to the Town of Minturn. The Town of Minturn can make requests or suggestions, however the SOU Team Leaders and the Sheriff or Undersheriff are responsible for all deployment and tactical decisions.

DETECTIVES / CRIME SCENE PROCESSING: The ECSO has detectives that are on call 24/7/365 for complex crimes (such as homicides, sexual assaults, arson fires, major property crimes, child abuse or abductions, etc). For complex crime scene processing, the ECSO may call in the Colorado Bureau of Investigation. ECSO Detectives also function as the Eagle County Drug Task Force. Drug operations in Minturn may include undercover officers and / or confidential informants purchasing illegal drugs from drug dealers in Minturn and then the ECSO arresting the suspects. These detective services and CBI are available at no additional fee to the Town of Minturn.

SPECIAL EVENTS: If the Town of Minturn has a pre-planned special event (similar to Gypsum Daze in the Town of Gypsum) and needs additional law enforcement presence, deputies can be scheduled at an additional charge per Deputy per hour. (The 2014 charge is \$58 per hour per deputy).

LIAISON: The Eagle County Sheriff's Office Undersheriff will be the liaison to the Town of Minturn Manager for any comments or concerns about ECSO activity in the Town of Minturn.

CONTRACT PAYMENT: The ECSO agrees to provide law enforcement services to the Town of Minturn with an Intergovernmental Agreement (Contract) for four years (2014-2018). The first year contract fee is proposed at \$300,000 per year. An additional payment of 5% per year will be assessed for each additional year to cover increased salary and other costs. (Example: 2015: \$315,000; 2016: \$330,000; 2017: \$350,000). Payments from the Town of Minturn to the ECSO can be made quarterly.

MONTHLY REPORTING: The ECSO shall make monthly activity reports to the Town of Minturn Manager detailing what the law enforcement activities in Minturn were from the last month of operations. An ECSO representative can also be available to attend Town of Minturn Council Meetings to answer questions and concerns by the Minturn Town Council Members.

TRAFFIC ACCIDENTS: The ECSO Deputies can respond and handle minor accidents in the Town of Minturn limits. However, major accidents (involving drugs, alcohol, serious injuries or death) shall be investigated by the Colorado State Patrol. CSP will be responsible for accidents on Hwy 24 including in the Town Limits of Minturn.

OFFICES: Town of Minturn Offices can be available to ECSO Deputies operating in Minturn.

The information above is for discussions purposes only. Any agreement between Eagle County, the Town of Minturn and the ECSO will be detailed in a future agreement executed by the parties.

I am available to discuss this concept at your request. Thanks,

A handwritten signature in black ink, appearing to read "M. McWilliam". The signature is written in a cursive style with a large initial "M" and a stylized "McWilliam".

Undersheriff Mike McWilliam

Eagle County Sheriff's Office



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE**

MEMORANDUM

TO: Jim White, Town Manager
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, February 26, 2014
RE: 2012 Election Update

1) Following is a copy of the Minturn Election Calendar for the upcoming election. Several Items:

- The Election will be held on April 8, 2014. Most elections this year seem to be on April 1st. Our Charter Section 2.2 states the election day is the first Tuesday AFTER the first Monday. April 1 is a Tuesday, the first Tuesday after the first Monday is April 8.
- In addition to the Mayor's seat, four seats are up for election on the Council. Those current Council seats up for election are:
 - Hawkeye Flaherty – Mayor – 2 year term
 - Shelley Bellm – Council Member 4 year term
 - Earle Bidez – Council Member 4 year term
 - Aggie Martinez – Council Member 4 year term
 - Darell Wegert – Council Member 2 year term

The three Council candidates with the highest number of votes will win the four year terms, the fourth highest will win the two year term.

- As noted on the calendar, the first day nomination packets may be picked up and circulated is February 18, 2014. Packets are available in the Town Clerk office along with complete instructions.
- The candidate has 20 days to collect signatures and submit their nomination petition with signatures. Petitions are due back by 5pm on March 11, 2014.
- In the 2013 Colorado Legislative Session the election laws were changed slightly. The most noticeable change effectively did away with the Permanent Mail In Voter List. All ballots cast will be either in-person on

April 8th or the voter may apply for an Absentee Ballot whereby a ballot will be mailed to the voter.

- The Charter and the Municipal Code state that the Clerk is the Election Official and authority to appoint Election Judges is also the responsibility of the Clerk. I have begun the hunt for Election Judges and have secured two of the three so far. I anticipate no issues with the third appointment.

2) Council Pay

The Town Charter Section 4.5 does not allow the Council to increase or decrease the compensation of any member during his term. Any change to the Municipal Code is required to be done by Ordinance. Therefore, prior to the election, Staff inquires with Council if the rate should be addressed. In order to pass the Ordinance prior to the election the second reading would need to be passed no later than Wednesday April 2, 2014.

The Council is paid \$200 per month plus \$100 for any additional posted meeting attended and the Mayor is paid \$400 per month plus \$200 for any additional posted meeting.

In the event Council desires to make changes in this area, I have included a draft Ordinance that could be approved on first reading at this meeting.

DIRECTION REQUESTED: Is it the Council's pleasure to review or modify the Council compensation?

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. ____ - SERIES 2014**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE MINTURN MUNICIPAL
CODE BY REPEALING AND RE-ENACTING SECTION 2-52 ESTABLISHING
AND PROVIDING FOR COMPENSATION FOR THE TOWN COUNCIL AND
THE MAYOR OF THE TOWN OF MINTURN, COLORADO.**

WHEREAS, the Mayor and Town Council periodically review compensation provided to the members of the Mayor and Town Council to ensure the Town's budgetary goals are met, and to ensure elected officials are adequately and fairly compensated for their time and talents; and

WHEREAS, the Home Rule Charter of the Town of Minturn, Colorado provides that compensation for the Mayor and Town Council members can neither be increased nor decreased during their term of office; and

WHEREAS, the regular municipal election is scheduled for April 8, 2014, and it is appropriate that compensation is established prior to newly elected officials taking office.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1. AMENDMENT. Section 2-52 of the Minturn Municipal Code is repealed and re-enacted as follows:

As prescribed in the Minturn Home Rule Charter, Section 4.5, beginning with the April 8, 2014 regular election, this ordinance sets the monthly compensation for any member of the Town Council or Mayor elected in the regular municipal election of April 8, 2014, or elected or appointed thereafter, at _____ Hundred Dollars (\$_____.00) per month plus _____ hundred Dollars (\$_____.00) for any additional posted meeting attended for Mayor and _____ Hundred Dollars (\$_____.00) per month plus _____ Hundred Dollars (\$_____.00) for any additional posted meeting attended for Council members during his or her term of office.

Section 2. SEVERABILITY. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado, hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 5th DAY OF MARCH, 2014. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR

**MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN,
COLORADO ON THE 19TH DAY OF MARCH, 2014 AT 6:30 p.m. AT THE
MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

Mayor

Attest:

Town Clerk

**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE
ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS
19TH DAY OF MARCH, 2014.**

Mayor

Attest:

Town Clerk

Janet Hawkinson
 Town Planner
 P.O. Box 309 ♦ 302 Pine St
 Minturn, CO 81645
 970-827-5645
jhawkinson@minturn.org
www.minturn.org



Town Council
 Mayor – Gordon “Hawkeye” Flaherty
 Mayor Pro Tem – George Brodin
 Councilwoman – Shelley Bellm
 Councilman – Earl Bidez
 Councilman – Darell Wegert
 Councilman – Aggie Martinez
 Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance amending the Parking Plan for the Town of Minturn
MEETING DATE: March 5, 2014
PRESENTER: Janet Hawkinson - Planner
<p>BACKGROUND:</p> <p>A first reading for an ordinance to amend the Town Parking Plan for Minturn and the new parking plan for Taylor Street was read and passed.</p> <p>Tonight is the second reading.</p> <p>The Attorney has re-written the Ordinance to only Taylor Street as the public discussions have only been in direct reference to Taylor St.</p> <p>During the meetings of 1/27/14 and 2/5/14 it was directed by Council that the Ordinance cover all of Minturn, so another ordinance does not have to be drafted for South Minturn Parking. However, legal recommendation is to pass the revised ordinance and resolution pertaining directly to Taylor Ave handle the matters of other sections of town separately.</p> <p>Town staff distributed the draft Taylor St parking plan to residents and requested feedback before the second reading of the parking ordinance. We are pleased to report that feedback from several residents has been submitted.</p>
<p>CORE ISSUES:</p> <p>The Planner and Public Works Supervisor have met with residents on Taylor Street and have discovered what is to be the bigger issue - lack of parking for users of Game Creek/Cougar Ridge Trail Head and the Minturn Mile.</p> <p>The Planner is presently working with The Union Pacific Railroad and the U.S. Forest Service for a parking lot that will accommodate 20-50 vehicles. We are hopeful to implement a new parking area near the old train depot with the cooperation of UP and the USFS. This location will allow for public parking, outside of the residential Taylor St area, thus providing a significantly minimalized impact and increased safety to residents Taylor St.</p>
STAFF RECOMMENDATION/MOTION: Approve Resolution 7 Series 2014. Table Ordinance 2 – Series 2014 until as the parking plan is still being finalized.

TOWN OF MINTURN, COLORADO
ORDINANCE NO. ~~5-2~~ – SERIES 2014

~~AN ORDINANCE TO AMEND ADOPTING A NEW ARTICLE 6 OF CHAPTER 8 OF THE REGULATION OF TRAFFIC BY THE TOWN OF MINTURN MUNICIPAL CODE, COLORADO, AS ADOPTED IN CONCERNING PARKING ON TAYLOR STREET THE 2003 EDITION OF THE “MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES” AS ADOPTED BY THE TOWN OF MINTURN, COLORADO.~~

WHEREAS, the Town of Minturn, has reviewed the existing parking needs of the citizens of Minturn and the requirements set forth in the 2003 Model Traffic Code for Colorado, as adopted by reference in the Minturn Municipal Code-Municipalities; and

WHEREAS, public ~~hearings-meetings~~ have been held by the Town Council of the Town of Minturn, Colorado, pursuant to notices required by law, at which the public was given an opportunity to express their opinions regarding the traffic and parking conditions along Taylor Street and proposed amendments to the regulation of traffic and parking thereon; and

WHEREAS, following such public hearings, ~~the~~ Town Staff evaluated the conditions for parking ~~and developed what will become a~~ Town-wide parking plan [RM1] on Taylor Street and has forwarded reports and recommendations on the proposed amendments to the Town Council; and

WHEREAS, Section 1205(3) of the Model Traffic Code authorizes the ~~local authorities~~ Town to permit angle parking on any roadway by ~~local~~ ordinance, except that angle parking shall not be permitted on any state highway unless approved by the Colorado Department of Transportation; and

WHEREAS, none of the roadways that are the subject of this ordinance are state highways; and

WHEREAS, based on the evidence, testimony, exhibits, and recommendations of the citizens and Staff of the Town of Minturn, the Town Council of the Town of Minturn, Colorado, finds as follows:

1. The proper posting and public notice was provided as required by law for the hearings-meetings before Town Council of the Town of Minturn, Colorado.
2. The hearings-meetings before the Town Council were both extensive and complete and all pertinent facts, matters and issues [RM2] were submitted at those hearings.

~~2.~~

3. The proposed amendment to the ~~Model Traffic Code for Colorado Municipalities~~ Minturn Municipal Code regarding parking on Taylor Street otherwise complies with all requirements imposed by ~~the~~ the Code, is consistent with the objectives and purposes of the Code and is deemed compatible with surrounding land uses and uses in the area.

4. ~~The requested~~ amendment to the ~~Model Traffic Code for Colorado Municipalities~~ Minturn Municipal Code ~~as adopted by the Town of Minturn~~ will be in the best interest of the health, safety, welfare and morals of the citizens of the Town of Minturn, Colorado; and

4.5. The new parking requirements on Taylor Street will be effective upon posting of official signage.

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

SECTION 1. Amendment. A new Article 6 of Chapter 8 of the Minturn Municipal Code is Section 1205(2) of the Model Traffic Code for Colorado Municipalities is amended to hereby adopted to read as follows:

ARTICLE 6

Parking

Sec. 6-1-10. Parking on Taylor Street.

(a) Angled parking on the east side of Taylor Street is required when an official sign(s) has been posted allowing such parking. Angled parking means parking at a forty-five degree angle to the roadway with the front of the vehicle facing in.

(b) All parking on the west side of Taylor Street is prohibited from November 1 to April 30 of each year. Parallel parking on the west side of Taylor Street is permissible from May 1 to October 31 of each year in accordance with official sign(s).

(c) It is unlawful for any person to park any motor vehicle on any private property or the premises of any private dwelling on Taylor Street without the permission of the owner of such property.

(d) It is unlawful for any person to park any motor vehicle on any public property along Taylor Street when an official sign has been posted prohibiting such parking.

(e) For purposes of this Section, "official sign" means a sign approved as to form and content by the Director of Public Works and placed in a location authorized by

the Director of Public Works.

(f) For purposes of this Section, "owner," as applied to any public or private real property in the Town, means and includes the owner of record, any person having the right to immediate possession and control of such property by reason of ownership, tenancy or employment as agent or manager for the owner or tenant of record.

~~allow angled parking and incorporate various needed and requested snow clearing schedules and speed limits and traffic flow as deemed necessary by the Town Planner of the Town of Minturn as detailed Town Parking Plan and other documents provided sufficient signage and notice is publicly given.~~

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 19th DAY OF FEBRUARY, 2014. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 5TH DAY OF MARCH, 2014 AT 6:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 5TH DAY OF MARCH, 2014.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
Jay Brunvand, Treasurer/Clerk
Email: treasurer@minturn.org



TOWN COUNCIL
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilwoman – Shelley Bellm
Councilman – Earle Bidez
Councilman – Darell Wegert
Councilman – Aggie Martinez
Council – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Resolution 6 – 2014 A Resolution allocating the 2014 Holy Cross Energy Community Enhancement Fund proceeds for the purpose of park beautification at Little Beach Park and Eagle River Park.

MEETING DATE: March 5, 2014

PRESENTER: Brunvand

BACKGROUND: This is an annual Resolution dedicating the Community Enhancement funds from Holy Cross in the amount of \$2,000 to an allowed specific use. These funds have been dedicated in the GOCO grant for Little Beach Park. In the event we do not receive the grant, the funds will be used to enhance and improve the parks.

CORE ISSUES: N/A

STAFF RECOMMENDATION/MOTION: Motion to approve Resolution 6 – 2014 A Resolution allocating the 2014 Holy Cross Energy Community Enhancement Fund proceeds for the purpose of park beautification at Little Beach Park and Eagle River Park.

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 6 – SERIES 2014**

**A RESOLUTION ALLOCATING THE 2014 HOLY CROSS ENERGY
COMMUNITY ENHANCEMENT FUND PROCEEDS FOR THE
PURPOSE OF PARK BEAUTIFICATION AT LITTLE BEACH PARK
AND EAGLE RIVER PARK**

WHEREAS, Section 11.1 of the Holy Cross Energy Franchise Agreement, renewed in 2011, states that Holy Cross Energy Community Enhancement funds can be used for the acquisition of open space park land ; and

WHEREAS, The Town has requested the use of these 2014 funds, in the amount of \$2,000, from Holy Cross for the purpose of park beautification at Little Beach Park and Eagle River Park;

NOW THEREFORE, BE IT RESOLVED by the Town of Minturn Town Council, Eagle County, State of Colorado, the Holy Cross Energy Community Enhancement Fund proceeds from the fiscal year 2014 will be applied toward park beautification at Little Beach Park and Eagle River Park.

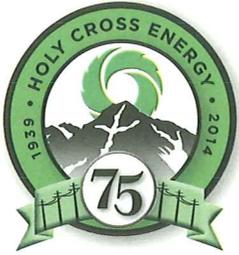
INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of March, 2014.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk



3799 HIGHWAY 82 • P.O. BOX 2150
GLENWOOD SPRINGS, COLORADO 81602
(970) 945-5491 • FAX (970) 947-5465

February 13, 2014

Town of Minturn
Attention: Mr. Jim White
P. O. Box 309
Minturn, CO 81645-0309

RE: Community Enhancement Fund Payment
2013 Revenue

Dear Mr. White:

Pursuant to the terms and conditions of Article 11 "Community Enhancement Fund", Town of Minturn, Ordinance No. 11 (Series of 2011), enclosed is our check in the amount of \$2,000.00.

Our payment is based on one percent (1%) of the gross revenues collected from the sale of electricity, within the Service Area (refer to the Franchise definition), for 2013 or \$2,000.00, whichever amount is greater. The annual gross revenue collected (rounded to the nearest dollar) was \$64,426.

Future Enhancement Fund payments, for revenue years 2014 through 2020, will be based on the annual gross electric revenue collected. The fund payment for revenue year 2021 will be based on the gross electric revenue collected for the period from January through August 2021.

We have enclosed a spreadsheet that summarizes the history of refunds associated with the Community Enhancement Fund program since its inception on October 4, 2000. To-date, a total of \$30,000.00 has been contributed by Holy Cross Energy. The remaining fund balance eligible for "Approved Disbursements" is \$4,000.00.

If you have any questions regarding this matter, please contact me at (970) 947-5430.

Sincerely,
HOLY CROSS ENERGY

Stephen B. Casey,
Manager Member Services

SBC
Enclosure

Town of Minturn – Community Enhancement Fund (DR 236.65) [263601]

M:\Word\Community Enhancement Payments\2013 Revenue.doc

Summary of Community Enhancement Fund Refunds - Town of Minturn

Revenue Period		Total Revenue	Calculated Fund Payment	Actual Payments	Payment Data		Approved Disbursements	Fund Balance	Notes
From	To				Check #	Date			
N/A	N/A	N/A	N/A	\$2,000.00	85567	09.28.00	\$0.00	\$2,000.00	1
11/2000	12/2000	\$10,871.71	\$108.72	\$2,000.00	86923	02.12.01	\$0.00	\$4,000.00	2
01/2001	12/2001	\$48,778.21	\$487.78	\$2,000.00	91132	02.05.02	\$0.00	\$6,000.00	2
01/2002	12/2002	\$49,213.00	\$492.13	\$2,000.00	95770	02.12.03	\$0.00	\$8,000.00	2
01/2003	12/2003	\$49,615.00	\$496.15	\$2,000.00	100307	02.10.04	\$0.00	\$10,000.00	2
01/2004	12/2004	\$51,602.00	\$516.02	\$2,000.00	104630	02.04.05	\$0.00	\$12,000.00	2
01/2005	12/2005	\$60,953.00	\$609.53	\$2,000.00	109540	02.10.06	\$0.00	\$14,000.00	2
01/2006	12/2006	\$62,843.86	\$628.44	\$2,000.00	114595	02.13.07	\$0.00	\$16,000.00	2
01/2007	12/2007	\$60,134.98	\$601.35	\$2,000.00	119689	02.14.08	\$0.00	\$18,000.00	2
01/2008	12/2008	\$68,965.08	\$689.65	\$2,000.00	125229	02.12.09	\$0.00	\$20,000.00	2
01/2009	12/2009	\$63,786.20	\$637.86	\$2,000.00	130137	02.04.10	\$0.00	\$22,000.00	2
01/2010	12/2010	\$62,501.01	\$625.01	\$2,000.00	135421	02.10.11	\$0.00	\$24,000.00	2
01/2011	12/2011	\$70,349.05	\$703.49	\$2,000.00	140229	02.09.12	\$0.00	\$26,000.00	2, 3
05.10.12 Jim White E-Mail: Recognition That Prior Disbursements Used for Annual Summer Market									
04.19.12 Letter Requesting Disbursement From Fund; HCE Approval Date 05.14.12									
01/2012	12/2012	\$60,817.00	\$608.17	\$2,000.00	144670	02.11.13	\$0.00	\$2,000.00	2
01/2013	12/2013	\$64,426.39	\$644.26	\$2,000.00			\$0.00	\$4,000.00	2
Total	N/A	\$784,856.49	\$7,848.56	\$30,000.00	N/A	N/A	(\$26,000.00)	\$4,000.00	

Community Enhancement Fund Inception Date: October 4, 2000

Denotes Information for Current CEF Refund

Notes:

1. The actual payment disbursed reflects a one-time initial fund payment of \$2,000.00 associated with the renewal of the franchise.
2. The actual payment disbursed is 1% of the revenue received or \$2,000.00, whichever amount is greater.
3. Refer to Town of Minturn, Ordinance No. 11, Series 2011 - Franchise renewed.



Community Enhancement Fund

Purpose: Holy Cross Energy is committed to programs designed to make a difference in people's lives and the communities in which they reside. Holy Cross Energy will voluntarily make monetary resources available to municipalities, served by Holy Cross Energy, for such programs and/or activities. Programs for which funds shall be spent shall be limited to:

- Beautification projects
- Energy conservation projects
- Equipment and technology upgrades for schools
- Scholarship funds
- Acquisition of open space and/or park land and development thereof
- Sponsorship of special community events
- Undergrounding of overhead electric and other utility lines

The Fund: The fund, established by Holy Cross Energy, shall be maintained in a bank account in the name of the municipality, but shall be maintained separately from all other funds and accounts held by the municipality.

Payments: All payments from the fund shall be for projects described above. Prior to any expenditure from the fund, authorization to withdraw from the fund shall be given by resolution or ordinance duly enacted by the respective City or Town Council. Such resolution or ordinance shall clearly describe the nature and purpose of the project for which the expenditure is made.

Approval: Prior to any expenditure, the municipality shall notify Holy Cross Energy of its intended use of the funds. Unless Holy Cross Energy objects, in writing, prior to such expenditure, Holy Cross Energy shall have waived its right to object in the future if the funds are expended for the use identified in the resolution or ordinance.

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 7 – SERIES 2014**

**A RESOLUTION DECREASING THE SPEED LIMIT
ALONG TAYLOR STREET AND AUTHORIZING THE
INSTALLATION OF A THREE-WAY STOP SIGN
INTERSECTION ON TAYLOR STREET.**

WHEREAS, public meetings have been held by the Town Council of the Town of Minturn, Colorado, pursuant to notices required by law, at which the public was given an opportunity to express their opinions regarding the traffic and parking conditions along Taylor Street and proposed amendments to the regulation of traffic and parking thereon; and

WHEREAS, Taylor Street is a primarily residential neighborhood inhabited in part by a significant number of children; and

WHEREAS, the northernmost end of Taylor Street is a popular parking area for skiers and other recreationalists who bring with them increased traffic flow on Taylor Street; and

WHEREAS, Taylor Street is often snowy and ice packed due to seasonal snowfall; and

WHEREAS, it is necessary to establish a regular schedule for snowplowing along Taylor Street because of snowfall, traffic concerns, and parking requirements; and

WHEREAS, the current posted speed limit on Taylor Street is twenty (20) miles per hour; and

WHEREAS, Sections 1101 and 1102 of the Model Traffic Code authorizes the Town to determine and declare reasonable and safe speed limits within its jurisdiction; and

WHEREAS, Town Staff has undertaken a traffic investigation or survey on Taylor Street to determine a reasonable and safe speed limit upon that roadway; and

WHEREAS, Town Staff has reviewed, and reported to Town Council, the traffic conditions on Taylor Street regarding the installation of a three-way stop signed intersection at Taylor Street and Fourth Avenue; and

WHEREAS, Section 105 of the Model Traffic Code authorizes the Town to install traffic control devices, including stop signs, upon roadways within its jurisdiction as the Town deems necessary to carry out the provisions of the Model Traffic Code and local traffic ordinances to regulate, warn, or guide traffic;

WHEREAS, based on the evidence, testimony, exhibits, and recommendations of the citizens and Staff of the Town of Minturn, the Town Council of the Town of Minturn, Colorado, finds as follows:

1. The proper posting and public notice was provided as required by law for the meetings before Town Council of the Town of Minturn, Colorado.
2. The meetings before the Town Council were both extensive and complete and all pertinent facts, matters and issues were submitted at those hearings concerning traffic conditions on Taylor Street.
3. Based upon the traffic investigation or survey undertaken by Town Staff, a reasonable and safe speed limit upon Taylor Street is fifteen (15) miles per hour;
4. Based upon the reports of Staff and comments from the public regarding the intersection of Taylor Street and Fourth Avenue, it is necessary to install stop signs for all traffic approaching that intersection;
5. Based upon the reports of Staff and comments from the public regarding snow clearing on Taylor Street, it is necessary to establish a snowplowing schedule for that portion of roadway;
6. The speed limit change and installation of stop signs otherwise complies with all requirements imposed by the Code, is consistent with the objectives and purposes of the Code and is deemed compatible with surrounding land uses and uses in the area; and
7. The speed limit change, the installation of stop signs, and the establishment of a snow clearing schedule is in the best interest of the health, safety, welfare and morals of the citizens of the Town of Minturn, Colorado.

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

1. The speed limit on Taylor Street is hereby decreased from twenty (20) miles per hour to fifteen (15) miles per hour.
2. Appropriate signage shall be posted on such roadway and the new speed limit shall take effect immediately upon such posting.
3. It is necessary and appropriate to install stop signs for all traffic approaching the intersection of Taylor Street and Fourth Avenue.
4. Stop signs shall be posted at that intersection for all traffic, and the requirements of those stop signs shall take effect immediately upon their installation.
5. The Town Manager and the Public Works Director are directed to establish a regular snowplowing schedule for Taylor Street that ensures the efficient removal of snow from

the roadway in light of the parking and traffic conditions thereon.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

Michelle Metteer
Economic Development Coordinator
Deputy Clerk
P.O. Box 309 ♦ 302 Pine St
Minturn, CO 81645
970-827-5645
mmetteer@minturn.org
www.downtownminturn.com



Town Council
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilwoman – Shelley Bellm
Councilman – Earl Bidez
Councilman – Darell Wegert
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Review and questions regarding the Contractor Registration Ordinance.
MEETING DATE: March 5, 2014
PRESENTER: Metteer
BACKGROUND: <ul style="list-style-type: none">• It has traditionally been difficult to obtain contractor business licensing.• This new process of contractors obtaining registration directly through the planning department will be much more effective and streamlined as it is the planning department whom is in contact with this user group on a regular basis.
CORE ISSUES: <ul style="list-style-type: none">• This Ordinance will better maintain the procedures and policies regarding contractors and construction within the Town of Minturn.
STAFF RECOMMENDATION/MOTION: Review, discuss and approve.

ORDINANCE NO. 3 – SERIES OF 2014

AN ORDINANCE AMENDING CHAPTER 6, BUSINESS LICENSE AND REGISTRATION, ARTICLE 4, CONTRACTOR REGISTRATION, MINTURN TOWN CODE, AND SETTING FORTH DETAILS IN REGARD THERETO.

WHEREAS, the Town of Minturn, in the County of Eagle and State of Colorado (the “Town”), is a home rule Town duly existing under the Constitution and laws of the State of Colorado and its home rule charter (the “Charter”),

WHEREAS, the members of the Town Council of the Town (the “Council”) have been duly elected and qualified,

WHEREAS, the Planning Department is charged with administering the provisions of the Chapter 6-4, Contractors, Registration, Minturn Town Code,

WHEREAS, the intent of these regulations is for the Building Official to evaluate every contractor wanting to do construction work in the Town and only issue a contractor’s license to those persons who are *“qualified by training or experience and is financially responsible to fulfill the obligations of a contractor”*;

WHEREAS, in practice, the Building Official does not administer a written test or otherwise objectively evaluate a contractor’s qualifications based upon training or experience,

WHEREAS, there is no current statutory process for registering contractors,

WHEREAS, the addition of such process for registering contractors can be implemented such that the regulations can be maintained and the amount of time and cost associated with the process to the contractor and Town can be minimized, and

WHEREAS, the Minturn Town Council finds it in the interest of the public health, safety, and welfare to adopt these amendments to the Minturn Town Code.

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

SECTION 1. Chapter 6, Contractors, Registration, Business License and Registration, Minturn Town Code, is hereby repealed and re-enacted as follows:

6-4-1: DEFINITIONS:

For the purposes of this Chapter, the words and phrases contained in this Section are defined as follows:

BOARD: The Board of Appeals is defined as the Minturn Planning Commission.

BUILDING CODE: Includes the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Performance Code, Uniform Code for the Abatement of Dangerous Buildings, and the National Electrical Code, as adopted by the Town.

BUILDING OFFICIAL: The Building Official as defined in the Building Code, as adopted by the Town, or his/her designee.

PERMIT: A permit, as prescribed in the Building Code and Town ordinances, granting approval to do construction work in the Town.

CONSTRUCTION WORK: Activity including, but not limited to, new construction, additions, repairs, alterations, installations, demolition, removal, conversions, replacements, or renovations of any building or structure, or excavation that requires a permit.

CONTRACTOR: Any person, firm, partnership, corporation, association, or other organization who undertakes, or offers to undertake for another, construction work. For the purposes of this Chapter, a contractor may be a general contractor, plumbing contractor, electrical contractor, excavation contractor, fire protection contractor, or a subcontractor.

PERSON: An individual, corporation, business, trust, estate, business trust, partnership, or association, or any other legal entity.

REGISTRATION: Issued by the Town in accordance with the provisions of this Chapter.

TOWN: Town of Minturn, Colorado.

6-4-2: CONTRACTOR REGISTRATION:

A. Registration Required: All contractors shall be registered under the terms and provisions of this Chapter, prior to undertaking any construction work or contract and/or applying for any type of permit required by applicable State statutes or Town ordinances.

B. Exemption to Registration: Any person may make application for a building permit to do such person's own construction work on any dwelling unit that such person occupies whether owned by him/her or leased, without being registered when such work is limited to minor alterations, maintenance, and decorating, providing such work does not alter or affect the structural integrity of the building.

C. Registration is Not a License or Certification: The registration of a contractor by the Town neither expresses nor implies any level of qualification, competency, licensing, certification or other assessment of the contractor's ability to complete contracted work.

6-4-3: ISSUANCE:

A. Forms: Registration forms shall be available at the Planning Department office.

B. Registration Information: Registration information shall consist of the business name, name of the principal party/business owner, current mailing address, electronic mail address, and telephone number. Electrical and plumbing contractors shall provide their current registration number with the State of Colorado Department of Regulatory Agencies, Division of Registrations. Fire protection contractors shall provide their contractor registration number.

6-4-4: FEE SCHEDULE:

The registration fees applicable to the registrations enumerated in this Chapter shall be \$240.00 for the 2014 registration cycle. Thereafter, the amount of the registration fee shall be fixed by the Town Council as part of its annual budget process.

6-4-5: PERIOD OF VALIDITY:

The registration of a contractor shall be valid for one year and shall expire on April 1st.

6-4-6: PROOF OF REGISTRATION

All contractors shall provide proof of registration upon request by the Building Official.

6-4-7: INSURANCE

A. Insurance Required: All contractors shall maintain proof of insurance under the terms and provisions of this Chapter while applying for a permit or undertaking construction work.

B. Insurance Types and Amounts: Every contractor granted registration under the provisions of this Chapter shall maintain the following minimum types and amounts of insurance:

1. Employee liability.
2. Worker's compensation.
3. Public liability with the following limits:
 - a. Option 1: one million dollars (\$1,000,000.00) in the aggregate, for bodily injury and one million dollars (\$1,000,000.00) in the aggregate, for property damage.
 - b. Option 2: combined single limit of one million dollars (\$1,000,000.00).

C. Excavation Contractors: Excavation contractors shall to have at least twenty five thousand dollars (\$25,000.00) worth of "XCU" (explosion, collapse, underground) insurance in addition to the required general liability and worker's compensation insurance.

6-4-8: PROOF OF INSURANCE:

All contractors shall provide proof of insurance upon request by the Building Official.

6-4-9: CONTRACTOR RESPONSIBILITY:

A contractor shall be responsible for all construction work included in the permit or undertaking whether or not such work is done by such person directly or by a subcontractor.

6-4-10: VIOLATION AND PENALTY:

A. Violation: It is a violation of this Chapter for any person to violate any provision or to fail to comply with any of the requirements of this Chapter and to commit any of the following acts:

1. Applying for permits or undertaking construction work without a valid registration when required.
2. Failure to provide proof of registration upon request by the Building Official.
3. Fraudulent use of a registration to obtain permits for another person, firm, or corporation.
4. Applying for permits or undertaking construction work not entitled under one's respective registration.
5. Failure to obtain a permit for construction work when required.
6. Failure to obtain inspections for construction work when required.
7. Failure to maintain proof of insurance as required by this Chapter while applying for permits or undertaking construction work.
8. Failure to provide proof of insurance upon request by the Building Official.
9. Failure to maintain construction site grounds and structures in a clean and safe manner, or causing damage to property adjoining the construction site.
10. Any violation of Town ordinances or codes governing construction work.

B. Construction Work without a Valid Registration: If the Building Official determines that a person has undertaken construction work without a valid registration as required by this Chapter, said person must register as a contractor and shall pay a fine in an amount equivalent to two times the adopted registration fee.

C. Revocation or Suspension of Registration; Nullification of Permits: If the Building Official determines that a person has acted in violation of the provisions of this Chapter the Building Official shall waive, for good cause shown, any penalty; issue a warning; revoke or suspend the registration of said person for whatever time it deems reasonable; and/or nullify any associated permits filed in degradation of this Chapter.

D. Remedies Not Exclusive: In addition to the remedies expressly provided by this chapter, the Town may pursue any other remedies available at law or in equity.

E. Other Penalty: In addition to any other penalty provided in this chapter, any person who violates any provision of this chapter shall be subject penalty as provided in Section 1-4-1, General Penalty, of this Code.

6-4-11: APPEALS:

A. Appeal of Building Official Actions:

1. Authority: The Board of Appeals shall have the authority to hear and decide appeals from any order, decision, determination or interpretation by the Building Official with respect to the provisions of this Chapter.

2. Initiation: An appeal may be initiated by any resident, property owner, or contractor adversely affected by any order, decision, determination or interpretation by the Building Official with respect to the provisions this Chapter. The Town Council may also call up a decision of the Building Official by a majority vote of those town council members present.

3. Procedures: A written notice of appeal must be filed with the Planning Department within twenty (20) calendar days of Building Official's decision. If the last day for filing an appeal falls on a Saturday, Sunday, or a town observed holiday, the last day for filing an appeal shall be extended to the next business day. In the event of an appeal, the Board of Appeals, after receiving a report by the Building Official, may confirm, reverse, or modify the action of the Building Official. Failure of the Board of Appeals to act within forty (40) days of the filing of an appeal shall be deemed concurrence in the action of the Building Official. The filing of such notice of appeal will require the Building Official to forward to the Board of Appeals at the next regularly scheduled meeting a summary of all records concerning the subject matter of the appeal and to send written notice to the appellant at least fifteen (15) calendar days prior to the hearing. A hearing shall be scheduled to be heard before the Board of Appeals on the appeal within forty (40) calendar days of the appeal being filed. The Board of Appeals may grant a continuance to allow the parties additional time to obtain information. The continuance shall be allowed for a period not to exceed an additional thirty (30) calendar days. Failure to file such appeal shall constitute a waiver of any rights under this chapter to appeal any order, decision, determination or interpretation by the Building Official.

4. Findings: The Board of Appeals shall on all appeals make specific findings of fact based directly on the particular evidence presented to it. These findings of fact must support conclusions that the standards and conditions imposed by the requirements of this Chapter have or have not been met.

B. Appeal of Board of Appeals Actions:

1. Authority: The Town Council shall have the authority to hear and decide appeals from any order, decision, determination or interpretation by the Board of Appeals with respect to the provisions of this Chapter.

2. Initiation: An appeal may be initiated by any resident, property owner, or contractor adversely affected by any order, decision, determination or interpretation by the Board of Appeals with respect to the provisions this Chapter. The Town Council may also call up a decision of the Board of Appeals by a majority vote of those town council members present.

3. Procedures: A written notice of appeal must be filed with the Planning Department within twenty (20) calendar days of Board of Appeals decision. If the last day for filing an appeal falls on a Saturday, Sunday, or a town observed holiday, the last day for filing an appeal shall be extended to the next business

day. In the event of an appeal, the Council, after receiving a report by the Board of Appeals, may confirm, reverse, or modify the action of the Board of Appeals. Failure of the Council to act within forty (40) days of the filing of an appeal shall be deemed concurrence in the action of the Board of Appeals. The filing of such notice of appeal will require the Board of Appeals to forward to the Town Council at the next regularly scheduled meeting a summary of all records concerning the subject matter of the appeal and to send written notice to the appellant at least fifteen (15) calendar days prior to the hearing. A hearing shall be scheduled to be heard before the Town Council on the appeal within forty (40) calendar days of the appeal being filed. The Town Council may grant a continuance to allow the parties additional time to obtain information. The continuance shall be allowed for a period not to exceed an additional thirty (30) calendar days. Failure to file such appeal shall constitute a waiver of any rights under this chapter to appeal any order, decision, determination or interpretation by the Board of Appeals.

4. Findings: The Town Council shall on all appeals make specific findings of fact based directly on the particular evidence presented to it. These findings of fact must support conclusions that the standards and conditions imposed by the requirements of this Chapter have or have not been met.

C. Appeal Of Town Council Actions: The final decision of the Town Council with respect to any appeal pursuant to this chapter may be appealed to an appropriate court pursuant to rule 106(a)(4) of the Colorado Rules of Civil Procedure. The Town of Minturn Municipal Court shall not have jurisdiction over such civil action.

SECTION 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Minturn Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 3. The Minturn Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof. The Council's finding, determination and declaration is based upon the review of the criteria prescribed by the Town Code of Minturn and the evidence and testimony presented in consideration of this ordinance.

SECTION 4. The amendment of any provision of the Town Code of Minturn as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

SECTION 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED

ONCE IN FULL ON FIRST READING this 5th day of March, 2014 and a public hearing for second reading of this Ordinance set for the 19th day of March, 2014, at 6:30 p.m. in the Council Chambers of the Minturn Town Hall Building, Minturn, Colorado.

Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Janet Hawkinson
 Town Planner
 P.O. Box 309 ♦ 302 Pine St
 Minturn, CO 81645
 970-827-5645
jhawkinson@minturn.org
www.minturn.org



Town Council
 Mayor – Gordon “Hawkeye” Flaherty
 Mayor Pro Tem – George Brodin
 Councilwoman – Shelley Bellm
 Councilman – Earl Bidez
 Councilman – Darell Wegert
 Councilman – Aggie Martinez
 Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE:	Eagle River Park Funding for Public Restroom Facilities
MEETING DATE:	Wednesday March 5, 2014
PRESENTER:	Janet Hawkinson, MLA - Planner
BACKGROUND:	<p>The Planner designed the "Historic Walk in the Park," as a means for Grant Funding. The Planner managed the Eagle County Grant Application and the staff contributions, and the Town was awarded the \$50,000.00 grant to build a public restroom facility, and outdoor classroom/ picnic area and historic educational signage for Eagle Park. This grant funding needs to be used by the end of this year 2014, or it becomes invalid.</p> <p>As the Town Economic Developer has stated: 'public restroom facilities are important for the Town because it allows Minturn to have an "Attractions Sign" on Interstate I-70. It enhances the Towns ability to be included in County events, such as races, because we can support the participants in basic human needs.' This is a necessity.</p> <p>The Town Council and Staff have expressed the need for 2 Public Restrooms: 1 male and 1 female ADA restroom. Additional funding is needed to achieve this action item.</p>
CORE ISSUES:	<p>A pre-fabricated 2 stall public restroom made of condensed concrete is \$75,000 - \$125,000, not including delivery, installation, or fixtures.</p> <p>A locally built concrete or wood structure for a public restroom facility is not advised because these materials absorb organic matter and creates unpleasant smells that grow worse because they are absorbed into the building walls - these smells are unable to be removed.</p> <p>Recommended pre-fabricated public restrooms are made of steel, however very costly.</p> <p>The Planner has been utilizing their construction and architecture background to design a cost effective public restroom facility. The Planner is working with local businesses and artists in this effort - "a Town Barn Raising" - a design and cost proposal is being developed and will be presented to Town Council for approval.</p> <p>To have a separate ADA men's and women's restroom facility, this action item needs additional funding.</p>
STAFF RECOMMENDATION/MOTION:	To commit \$75,000 additional funding to this project.



Town Council
Mayor – Hawkeye Flaherty
Mayor Pro Tem – George Brodin
Council Members:
Shelley Bellm
Earle Bidez
Darell Wegert
Aggie Martinez
John Rosenfeld

PARKING "VARIANCE" LETTER DATED NOVEMBER 18, 2013

The Town of Minturn is issuing this notice to address former Police Chief Brad Lamb's November 18, 2013 letter, entitled "Taylor Avenue Parking Variance." Chief Lamb's letter purports to grant a "variance" allowing vehicles to park on the west side of Taylor Street between the hours of 2:00 p.m. and 6:00 a.m., between the south railroad track intersection and the north end of Taylor Street near the Lionshead trail access.

First, in the letter, Chief Lamb referenced a petition that was signed by Taylor Street residents requesting that parking be allowed on Taylor Street. The Town is not in possession of any such petition.

Second, while Chief Lamb used the term "variance," the letter does not grant a variance as used in the Town Code. There are several examples of variances in the Town Code, such as sign variances and zoning variances, but there is no Code section authorizing a parking variance.

The position of Police Chief is granted specific authority by the Minturn Town Code. The Police Chief has the authority to enforce State statutes and Town ordinances within the Town boundaries, and to perform other related duties as the Town Council requires. The Police Chief does not have the authority to change the laws that apply within the Town. The Town Council did not request or direct that Chief Lamb issue the letter.

Because of the confusion surrounding the letter, the Town Council wants to make it clear that the letter does not restrict the Town's ability to regulate parking on Taylor Street.

The Town takes the comments and concerns of its residents seriously. The Town Council held a special public meeting on January 27, 2014, to address the parking concerns on Taylor Street. The Town Council received public comment from Taylor Street residents, which the Town will consider as it develops a revised parking plan for Taylor Street. The Town Council is hopeful that it can adopt a parking plan for Taylor Street that is responsive to the needs of residents and ensures safe travel along the roadway.

Please do not hesitate to contact either Town Council or Town staff if you have questions, comments or concerns about our community. The Town's contact information may be found at <http://www.minturn.org> or by calling (970) 827-5645. We look forward to hearing from you.

Michelle Metteer
Economic Development
P.O. Box 309
302 Pine Street
Minturn, CO 81645
970-827-5645

mmetteer@minturn.org
www.downtownminturn.com
www.minturn.org



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STAFF REPORT

PUBLIC WORKS

Minturn Trail Head & Municipal Parking

Public works has ordered signs for the Minturn Mile trail head, and for the municipal parking lot. Four (24 X 24) signs for the Minturn Mile Trail Head state “Trail Head Parking, No Parking 10:00pm-6:00am, Violators will be towed at owners expense”. These signs will be posted at all four corners of the parking area. Also ordered are four larger (24 X 24) municipal parking signs that state “No Parking from 2:00am-6:00am”, and one large (24 X 30) sign that states” Section C Permit Parking Only 970-827-5645 Nov.1-April 1”. Larger signs were recommended for the municipal parking lot by Minturn Police staff, because of multiple parking violators claiming the signs were too small. Also recommended by the Minturn police staff was a larger section C sign to better inform the public of the permit parking area. Section C is designated for Minturn residence that has minimal parking during winter season to obtain a permit and park at the designated parking area. Section C sign will be replaced on April 2 with the “No parking from 2:00am -6:00am “sign.

Town Hall

Signs (12 X 18) for the town hall have been ordered that state “No Parking 2:00am-7:00am”. The signs will be posted on the Pine street side of the building in every parking space. This will help public works keep the snow and ice from accumulating in this area during winter season. Current issues have been residents on Pine Street who don’t have sufficient parking are now parking at the town hall and not moving their vehicle for several days. Posting these signs will hopefully solve our problem, and help us to keep the parking area safe from ice and snow.

Four New Street Signs

Three street signs have been ordered for unnamed roads: Tributary Trail, Moose Lane, and Mountain Drive. Tributary Trail is the new name for the water plant road. Moose Lane is across from Cemetery Bridge that leads to the town’s water tank. Mountain Drive is a private subdivision across from barber shop at the south end of town. Mountain Drive residence will be purchasing the sign. The fourth sign ordered will be for Maloit Park road. When public works staff spoke with emergency personnel about our safety while working on an unlisted road, they recommended posting signs for better response time in case of any emergencies. The naming of these roads came from Janet Hawkinson and Planning and Zoning.

Taylor Street

Public works has posted the new 15 miles an hour speed limit signs and temporary three way stop sign on Taylor Street. When weather permitting we will install the appropriate poles and signs on Taylor and Fourth Street. We also installed two new “Slow down We Love Our

Children” signs on Taylor Street, and distributed the Taylor street parking plan as per ordinance #2-Series 2014 to the Taylor Street residents.

Snow Removal

Ninety percent of the snow piles have been removed and all street drains opened.

CODE ENFORCEMENT

The code enforcement education campaign by staff has continued for a fourth week. Warnings were given for trash cans, sidewalk shoveling and parking violations. Additional emphasis has been requested for the enforcement of parking requirements. Moving forward, as discussed previously, staff will continue this campaign by training a code enforcement officer and continuing the education/information campaign.

LOCAL ELK POPULATIONS

At the February 19th Town Council meeting, Mr. Rob Bumgarner addressed Council with concerns regarding the local elk populations in the area. Mr. Bumgarner felt the elk populations may be down due to increased recreational activity and specifically off-leash dogs while hiking. For follow-up, staff put in a call to Bill Andre who provided the following insight (not verbatim).

The elk populations in the area have been down since the winter of 2007-2008 which was an exceptionally difficult winter for the herds. The Colorado Division of Park and Wildlife has not seen these numbers go back up since the '07-'08 season. This may be due to any of the following: extreme winter weather, summer drought, recreational activities, condition of habitat, predators and increased human population.

MEMORIALIZATION GUIDELINES

Cliff Thompson met with staff on Wed, Feb 26th and began the initial brainstorming session for putting a memorialization process and procedure in place. Great feedback evolved from this initial meeting and we're looking to continue this process moving forward as the plan begins to cover more of the details of how the system will run. We expect follow-up meetings with Cliff Thompson.

WATER UPDATE BY JOHN VOLK

The town of Minturn water system had a high unaccounted for water percent. In general, unaccounted for water between 10 and 20 percent is acceptable. Historically the unaccounted for water percent hovered between 60 and 70 in Minturn. Late in 2012 a system wide leak survey was conducted and an aggressive plan was put in place to reign in the water loss. Numerous leaks were found during the survey and repairs were made in 2013. The water loss for January 2014 was down to 13.6%. Moving forward the Town will continue their efforts to keep the water loss to a minimum.

	January	February	March	April	May	June	July	August	September	October	November	December	Total Usage
2013	6556000	5727000	4686000	4457000	5064000	7066000	6170000	5767000	4407000	3729000	3680000	3177000	60486000
2012	7041000	6673000	7023000	6141000	7381000	9772000	9022000	9353000	9204000	5606000	5531000	5764000	88513012
2011	6391000	6647000	6566000	6575000	7442000	9592000	9735000	9926000	9070000	8802000	7017000	8362000	96125000
2010	7915000	7263000	8258000	7831000	9180000	9153000	10109000	9416000	9336000	8703000	7695000	6969000	101828000
2009	6162000	5363000	6252000	6175000	6849000	6788000	9858000	10425000	9281000	8313000	6168000	7308000	88942000
2008	6763000	6739000	7610000	7087000	6970000	9313000	10637000	9590000	7860000	6366000	5728000	5913000	90576000
2014	3463554												3463554

Minturn Master Meter Usage

