



2014

# Minturn Council Meeting

Wednesday April 2, 2014

**Work Session:** **5:30pm**  
**(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 April 2, 2014**

**Work Session – 5:30 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.

### **Work Session – 5:30 pm**

- Council vacancy Pg 4
- DOLA Grant Update – Brunvand/Hawkinson Pg 6
- Police coverage discussion – Metteer  
\*Hours of Operation

### **Regular Session – 6:30pm**

#### **1. Call to Order**

- Roll Call
- Pledge of Allegiance

**2. Approval of Agenda**

- Items to be Pulled or Added

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

- March 19, 2014 Pg 7
- Action Item Report Pg 13

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

**5. Special Presentations**

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

**6. Discussion/Action Item: Ordinance 2 – Series 2014 (Second Reading) an Ordinance amending the Town Parking Plan – Hawkinson Pg 15**

Note: Staff is requesting Council to table this item to the June 4, 2014 Council Meeting.

Previous Action:

- 2/19/14 Motion by Shelley B., second by John R., to approve Ord 2-2014. Motion Passed 7-0.
- March 5, 2014 Motion by Darell W., second by Aggie M., to table to the 4/2/14 meeting. Motion Passed 6-0.
- 3/19 Janet H. requested this be moved from the April 2 meeting to the June 4

**OTHER MATTERS**

**7. Planning Department Update**

- TAP Grant – Hawkinson

**8. Staff Report Pg 19**

**9. Town Council Comments**

**EXECUTIVE SESSION**

**10. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager. Pg 22**

## FUTURE AGENDA ITEMS

### **11. Next Meeting – April 16, 2014**

- Election summary and Council swearing in
- Work Session: Council transition discussion
- Work Session: 2015 World Cup support discussion
- Marijuana update – Town Attorney (Invite Ms. Barbara Allen to the meeting)

### **12. Future Meetings:**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with XCEL Representative – White
- Work Session: Town Council CIRSA training (6/4/14)

### **13. Set Future Meeting Dates**

a) Council Meetings:

- April 16, 2014
- May 7, 2014
- May 21, 2014

b) Planning & Zoning Commission Meetings:

- March 26, 2014
- April 23, 2014
- May 21, 2014

### **14. Other Dates:**

- April 26, 2014 - Eagle River Watershed Council Highway Cleanup
- May 31, 2014 – Town Clean-up

### **15. 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

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

*MEMORANDUM*

TO: Mayor, and Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: Friday, March 28, 2014  
RE: Council Resignation

At tonight's Work Session the Council is scheduled to discuss the resignation of a Council Member. (Note, the Town Clerk, custodian of all official records of the Town, has not received any resignation from any council member to date). To that end I have reviewed the Town Charter, the Town Code, and Robert's Rules of Order and found the following information for your consideration. The Council follows Parliamentary procedures and often has cited its use of Robert's Rules of Order as the authority on Parliamentary procedures.

When does a resignation take effect? Robert's Rules of Order states a Resignation is effective only after the resignation has been accepted by the appointing or electing authority.

However, a resignation may be rescinded prior to being accepted by the appointing or electing authority.

A resignation is a *Request to Be Excused from a Duty*. It may be withdrawn in the same manner as any motion may be withdrawn -- that is to say, before the proposed resignation has been placed before the assembly by the chair stating the question on its acceptance, it may be withdrawn without the consent of the assembly, but it may not be withdrawn without permission of the assembly once it has been placed before the assembly for its approval. [RONR (11th ed.), pp. 289-92; 295-97.]

Other cites within the Town Charter are as follows:

**Section 4.6 Vacancies.**

An elective office shall become vacant whenever any officer is recalled, dies, becomes incapacitated, removes from or becomes a nonresident of the Town, absents himself from meetings of the Council for sixty (60) days, unless excused by resolution thereof, is convicted of a felony or is judicially declared a mental incompetent. In case of vacancy the remaining councilmembers shall choose by majority vote, within thirty (30) days after such a vacancy occurs, a duly qualified person to fill the unexpired term so vacant. If more than three vacancies

occur simultaneously, the remaining councilmembers shall call a special election to fill such vacancies provided there will not be a regular general municipal election within thirty (30) days.

NOTE: nothing is said as regards to resignation of a Council Member. Historically we have had this issue arise only when a Council Member moves from the Town such as Jerry B. did this past fall, and a number of years ago the Town passed Resolutions to excuse Council Member Bill Burnett when necessary.



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

*MEMORANDUM*

TO: Mayor and Town Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: March 13, 2014  
RE: DOLA Grant Update

The Town of Minturn is currently the recipient of a DOLA grant awarded in 2013.

- The grant is a 50/50 split with the Town with a maximum value of \$106,739; meaning the Town would pay \$213,478 and be reimbursed for half that or \$106,739.
- Because the projects laid forth in the grant were not completed on time an extension was given by DOLA through June 30, 2014.
- To date the Town has paid a total of \$105,491 and reimbursed back from the grant approximately \$47,952.21 or 45%.
- An additional \$48,536.79 has been paid by the Town and we will be submitting a reimbursement request to DOLA as first quarter 2014 expenses in the next few weeks.
- In addition to this, we have several items that were included in the grant application that have not been started nor paid for by the Town. Those items include a main valve, estimated by TST at approximately \$16,250, and the Harrison water line loop, estimated by TST at approximately \$61,000.
- The grant included a separate contract for TST to conduct a Water Treatment Plant study for a total cost of \$30,000. This amount was allowed to be charged against the Town's portion of the grant (non reimbursable by DOLA). No work product regarding this contract has been received by the Town however, to date a total of \$22,500 has been paid for the water study to TST by the Town as follows:
  - June 2013 - \$7,500
  - July 2013 - \$13,500
  - August 2013 - \$1,500

Staff will provide a summary of the grant expenses at the Council Worksession.



## **Official Minutes**

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

**Wednesday March 19, 2014**

**Work Session – 5:45 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**

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 – 5:45 pm**

- Wastewater Master Plan update – Diane Johnson and Lynn Brooks of ERWSD
- Ordinance 3 – Series 2014 (Second Reading) Contractor Registration Ordinance – Metteer
- Park Names – Hawkinson

### **Regular Session – 6:30pm**

**1. Call to Order**

- Roll Call

The meeting was called to order by Mayor Hawkeye Flaherty at 6:40pm.

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

Staff present: Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, Economic Coordinator Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand.

- Pledge of Allegiance

## **2. Approval of Agenda**

- Items to be Pulled or Added

Add 8a to discuss the Minturn Fitness Center.

Add C.R.S. §24-6-402(4)(b) and (e) to the Executive Session regarding the Minturn Fitness Center, School District and the police department contract negotiations.

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

## **3. Approval of Minutes and Action Report**

- March 3, 2014 – Special Meeting

Motion by John R., second Aggie M., to approve the minutes of March 3, 2014 Special Meeting as presented. Motion passed 7-0.

- March 5, 2014

Motion by Darell W., second George B., to approve the minutes of March 5, 2014 Council Meeting as presented. Motion passed 7-0.

- Action Item Report
  - i. Eagle River Park
  - ii. Other Action Items

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

Ms. Barbara Allen updated the Council on her campaign to ban marijuana sales on Hwy 6.

## **5. Special Presentations**

- One Book One Valley – Lori Ann Barnes

Ms. Lori Ann Barnes, Vail Public Library, outlined the initiative of the One Book One Valley. Eagle County's community read for 2014 is Finders Keepers by Craig Childs.

## PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

### **6. Discussion/Action Item: One Book One Valley Proclamation – Metteer**

Hawkeye read the Proclamation.

Motion by Shelley B., second by John R., to accept the Proclamation in support of One Book One Valley as presented. Motion passed 7-0.

### **7. 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 – Metteer**

Michelle updated the Council on the issues endorsing the principles. Sections 1.1 and 2.4 were discussed previously and have been stricken from Exhibit “A” of the West Slope Principles for the Colorado Water Plan. Staff also recommended striking Section 4 from Exhibit “B” of the Eagle River Basin Principles as well.

Motion by Earle B, second by Shelley B., to approve Resolution 2 – Series 2014 A Resolution endorsing the West Slope Principles and adopting the Eagle River Basin Principles for the Colorado Water Plan as amended by striking of Exhibit “A” sections 1.1, 2.4, and Exhibit “B” section 4. Motion passed 7-0.

### **8. Discussion/Action Item: Ordinance 3 – Series 2014 (Second Reading) an Ordinance requiring registration of contractors conducting work requiring a permit – Metteer**

**Previous Action: Motion by Earle B., second by Shelley B., to approve Ord 3-2014 as amended on first reading. Motion Passed 6-0. Note: John R. was excused absent.**

#### **Proposed changes:**

- **Define contractor more specifically as requiring a building permit**
- **Consider the multi year**

Michelle M. updated the Council on the changes and status to date. Discussion ensued as to if there would be prorated for licenses not taken out for the full three years; it will be prorated as needed.

Motion by George B., second by Shelley B., to approve Ordinance 3 – Series 2014 (Second Reading) an Ordinance requiring registration of contractors conducting work requiring a permit as presented. Motion passed 7-0.

### **8a Minturn Fitness Center Update**

John R. updated the Council on the progress and reviewed the current budget for the project.

The project has a \$2M budget, currently this budget is projected to come in at \$1.95M. Some items that are not included in the budget are the soft costs such as the cost of the land, water tap fees. Items that are hard costs that will exceed the original \$2M budget are items such as utilities, and FFE. This will exceed the budget by approximately a total project cost of 2.4 to 2.5M.

Shelley B. stated she is committed to the project however, is upset the project is \$500k over budget. She said there needs to be a maximum price that we are expected to cover. Darell W. asked what was the cause of the overrun? John R. cited \$200k equipment, \$60k gas and electrical utilities to extend the service 1200ft to the building, architect/engineering about \$100k (the A&E was always outside of the scope of cost), the balance is for FF&E. John R also noted that although it appears we do not have to build a larger water tank, the existing 100k gal tank is not sufficient to service the fire needs without upgrades. Hawkeye stated that we should be given credit for the water tap. John R. stated these were considered in the 50/50 ownership. Hawkeye state a 25% overrun was pretty hard to accept. John R. noted \$500k is the very high end.

George stated he was willing to approve a max of \$200k. Earle stated the \$250k from the Town and the same amount from the academy would get them to the maximum price. This would include the landscaping and paving as well as the interior of the buildings. This would make it a turnkey operation at the \$2.5m with 50/50 ownership.

Motion by Shelley B., second by Darell W., to approve the allocation of an additional \$250k to be taken from the BMR funds. Motion passed 7-0.

## OTHER MATTERS

### 9. Planning Department Update

- Conservation Easement update – Hawkinson

Two new business one in the old 1<sup>st</sup> Bank and an ice cream store next to the Mile radio space. CIRSA will be in to train the Planning Commission at the end of April.

- Park naming discussion

Shelley B. stated she felt the Council had been very clear with direction that the park names would remain as they currently are to include the name Boneyard for the new open space area.

### 10. Staff Report

Jay B. updated the Council on the April 8 Council election and other events in the Clerk and the Treasurer's office.

Michelle M. stated we would be sending out a questionnaire for the candidates to complete and return. This material will go on the website and in the community news letter. We will not do a candidate forum.

Michelle M. noted as the snow melts work will turn to cleaning up the area at 243 Boulder St in an effort to prepare the area for the Community Garden

Michelle M. noted the Ski Joring was a success due in part to the efforts of the entire staff and the public works team. A meeting was held today with all the associated parties to debrief the event and learn from the successes and concerns experienced with this year's event.

### **11. Town Council Comments**

Earle B. said the Ski Joring was nice and a good crowd. Michelle M. reported that the event could not be held on Saturday due to icy conditions on the course making it unsafe for the horses however for the weekend they were able to do 51 event survey responses and will submit a report in the next few weeks. Shelley B. said the event was a lot of fun.

Shelley stated Minturn residents are able to vote in the Vail Recreation Board so make sure and vote for that as well. Minturn and Vail are the only municipalities that can vote on that.

ERWSD is having their Special District Board election in May.

## **EXECUTIVE SESSION**

### **12. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager.**

Motion by John R., second by Shelley B., To convene in Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters regarding the Town Manager and pursuant to C.R.S. §24-6-402(4)(b)(e) to discuss separately the Minturn Fitness Center and to discuss the contracting for services of the Minturn Police Department to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators. Motion passed 7-0.

Direction from Council as a result of the Executive Session:

- Janet and Michelle are to remain as Co-Managers of the Town in addition to their regular positions.
- George B. is to begin negotiations with the Eagle County Sheriff's Office regarding an IGA for police services. The staff point person on this is to be Michelle M.
- The Minturn Fitness Center committee is to continue with negotiations.
- Matt M. is to work with Tom Braun of the Eagle County School District regarding issues on the Fitness Center.

## **FUTURE AGENDA ITEMS**

### **13. Next Meeting – April 2, 2014**

- Vail Valley Foundation Re: 2015 World Cup funding consideration (4/2/14 this is to be moved to the 4/16 meeting)
- Discussion/Action: Ordinance 2 – Series 2014 (Second Reading) an Ordinance amending the Town Parking Plan – Hawkinson (first meeting in June; this is to be put on the 4/2 meeting to retable it to the first meeting in June)
- Work Session: DOLA Grant Update – Brunvand (4/2/14)

**14. Future Meetings:**

- 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)

**15. Set Future Meeting Dates**

a) Council Meetings:

- April 2, 2014
- April 16, 2014
- May 7, 2014

b) Planning & Zoning Commission Meetings:

- March 26, 2014
- April 23, 2014
- May 21, 2014

**16. Other Dates:**

- April 8, 2014 – Town Council Elections
- April 26, 2014 - Eagle River Watershed Council Highway Cleanup

**17. Adjournment**

In that there were no further items the meeting stood adjourned at 9:48pm.

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Mayor Hawkeye Flaherty

ATTEST:

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Town Clerk, Jay Brunvand

## Town of Minturn - Action Item Memo

**TO:** Council Members/Staff Members  
**FROM:** Co-Acting Managers  
**DATE:** April 2, 2014  
**SUBJECT:** Status of Action Items and projects

Action Item	Responsible Party	Progress Report
Eagle River Park	Janet Hawkinson Michelle Metteer George Brodin Darell Wegert	Bathroom design (done in-house by Town Planner), historic sign development (done in-house by Economic Development) and outdoor classroom options for review. \$50,000 in grant funding, \$75,000 in additional town contributions.
Public Works site arrangement Fitness Center clean-up	Arnold Martinez Janet Hawkinson	Redesign of the Public Works facility area and clean-up of the Fitness Center area.
Code enforcement	Lisa Osborne	Lisa attended a code enforcement training and is now scheduling two “shadow” training sessions with different code enforcement officers with the Town of Vail.
Elections	Jay Brunvand Michelle Metteer	Ballots have arrived, absentee voting has begun, and three judges have been confirmed for the election date (April 8 <sup>th</sup> ).
Open Space Land Trust	Janet Hawkinson	150-page easement to be written and site design to be drawn. An additional 100-page land trust management plan must be submitted as well. Due June 2014.
Memorialization Guidelines	All Staff Cliff Thompson	Staff is working in conjunction with Cliff Thompson for the creation of a policy and procedure for memorializing different areas or structures throughout town. The first meeting has taken place and review of the initial documents is underway.
Business Licenses/Contractor Fees	Michelle Metteer Jay Brunvand Janet Hawkinson	Ordinance is completed and procedure is being implemented.
ECSO IGA	Michelle Metteer Lisa Osborne George Brodin	The first draft of the IGA has been completed and submitted to Council Member Brodin for review. This will be a work session topic at the April 2 meeting for additional direction from Council.
Isolation Valve at Toledo and Main St	Arnold Martinez	Final DOLA grant work for 12” main valves.
TAP Grant – South Minturn Sidewalks	Janet Hawkinson Michelle Metteer	Not yet open. Application to be submitted for south Minturn sidewalks. All of staff and much of Council will be needed to assist.

2014 Community Master Plan	Janet Hawkinson	5-year update to the Community Plan per the State of Colorado. Community involvement required.
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**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 STREETTHE 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]aon 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 19<sup>th</sup> 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 5<sup>TH</sup> 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 5<sup>TH</sup> DAY OF MARCH, 2014.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**Hawkeye Flaherty, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk



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

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## STAFF REPORT

### CLERK’S OFFICE:

**Petitions** for the April 8 election were due by 5:00pm on Tuesday March 11<sup>th</sup>. This will be a Polling Place election with the voting taking place at the Minturn Town Hall. Those desiring to vote by mail may request an application for an absentee ballot and one will be provided.

We had two candidates for Mayor and of the six petitions issued, four were returned. Of the Council the three with the highest number of votes will win four year terms, the fourth highest will win the two year term. All successful candidates will be sworn in and take office at the April 16, 2014 Council meeting. I have secured three election judges and ordered ballots and supplies in preparation for the election. The Candidates in Ballot Order are as follows:

Mayor:  
Frank Lorenti  
Gordon “Hawkeye” Flaherty

Council:  
Matt Scherr  
Shelley Bellm  
Jason “Ozzy” Osborne  
Earle Bidez

### DEPUTY CLERK:

Business license renewal season is upon us. The one-page business license application is on the Town website at <http://www.minturn.org/government/finance/townclerk.html> under forms. Hard copies are also available at Town Hall. Contractors requiring permitted work within the town now go through the Planning Department for Contractor Registration, this is in lieu of obtaining a business license.

### MINTURN MARKET:

The first market is June 14<sup>th</sup>. Registration for the market has been open since November of 2013 and currently all of the full-time booth spaces are full. The market is still accepting applications for the wait-list and part-time vendors. With the addition of a public restroom at the Eagle River Park, the market is considering the need for increased pedestrian/crosswalk safety at the intersection of Main and Toledo. More information to follow.

## **COUNCIL TRANSITION:**

In anticipation of a new Town Council beginning April 16<sup>th</sup>, staff will be preparing an outline of all necessary topics to review during this transition. Such topics will include but are not limited to the following:

- Review of all Sub-Committees
  - Scholarship
  - Water
  - Battle Mountain
  - Railroad
  - Minturn Fitness Center
  
- Board Positions
  - ECO
  - Open Space
  - Minturn Fitness Center
  
- Department Updates
  - Treasurer
  - Clerk
  - Planning
  - Public Works
  - Economic Development
  - Police Clerk
  - Co-Acting Town Managers

Please bring to staff attention any other topics or interest or concern that should be addressed at this time and they can be added. A formal Council training has been scheduled with Tami Tanoue of CIRSA for the June 4 Town Council work session. Parliamentary procedures will be reviewed at that time.

## **POLICE:**

The Eagle County Sheriff's Office has agreed to temporary coverage of the Minturn area for approximately two hours per day at the rate of \$58.00 an hour. This is a temporary solution until a final agreement with ECSO is negotiated and implemented.

## **CLEAN-UP DAYS:**

Minturn will be participating in two clean-up days in 2014. The 14<sup>th</sup> Annual Community Pride Highway Cleanup will take place from 9:00 a.m. to 12:00 p.m. on Saturday April 26. The Town of Minturn is volunteering for the area from the Meadow Mountain Business Center to Little Beach Park. Interested volunteers should contact Michelle Metteer or Janet Hawkinson at Town Hall, 970-827-5645 to participate.

After the morning of hard work, volunteers & their families are invited to a **Thank You BBQ at the Broken Arrow Restaurant from noon to 2 pm**. The party will feature **live music, beer**

**from Crazy Mountain, a raffle, and delicious food** prepared by the Arrowhead Alpine Club. It's a great way to unwind and celebrate the morning's accomplishments!

The Minturn Town Clean-up day is Saturday, May 31st. This year, the event will be held in the upper parking lot of Little Beach Park on Cemetery Road.

The annual Clean-Up event provides the citizens of Minturn with a free and convenient receptacle to deposit their appliances, debris and undesired items from their property and home. The Minturn Public Works Department staff will be at Little Beach Park parking lot to help unload vehicles.

As in years past, there will be volunteers from Battle Mountain Development Company, and the Town of Minturn with trucks to assist residents with transporting their large, unwanted items to the dumpsters. If residents, especially senior citizens, are interested in taking advantage of this opportunity, items for disposal should be prepared and ready for pick-up in an accessible area. To sign up for this free service, please contact Lisa Osborne at the Minturn Town Offices at (970) 827-5645, extension 105 by Friday, May 30, 2014. An e-mail may also be sent to Ms. Osborne at [losborne@minturn.org](mailto:losborne@minturn.org). Keep in mind, the Eagle Valley Community Fund will gladly take items in good condition for their annual fundraiser Rummage Sale at Maloit Park.

Volunteers are needed to team up with town staff to clean-up litter and debris in all areas of town. Volunteers will be meeting at the Little Beach Park upper parking lot at 9:00 a.m. All volunteers are asked to sign-in and then will be provided garbage bags and safety vests. Please remember to bring gloves to protect your hands. Once signed-in and outfitted with the necessary gear, each volunteer will be assigned a specific area to work for litter pick-up.



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

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

*MEMORANDUM*

TO: Minturn Town Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: Friday, March 28, 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 C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters regarding the Town Manager.*

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