



2015

Minturn Council Meeting

Wednesday July 1, 2015

Work Session: **5:30pm**
(Town Center)

Regular Session: **6:30pm**
(Town Center)



Agenda

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

Wednesday July 1, 2015

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

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 – 5:30pm

- Discussion regarding Main Street lighting – Hawkinson Pg 4
- Water Rate Structure and Monthly Rates – Powell/Brunvand/Water Committee Pg 12
- Discussion Regarding order of agenda – Powell

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

- June 17, 2015 Pg 17

4. Liquor Authority

- Vail Symposium Request for Special Event Permit; 800 Cemetery Rd.; Kristen Van Norman, Program and Development Manager – Brunvand Pg 24

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

6. Special Presentations:

- Committee Reports

PUBLIC HEARINGS AND ACTION ITEMS

7. Discussion/Action Item: Water Rate Structure and Monthly Rates – Powell/Brunvand/Water Committee Pg 4

8. Discussion/Action Item: Resolution No. 07 – Series 2015 a resolution setting and approving water rate fees – Powell/Water Committee Pg 32

9. Discussion/Action Item: Ordinance No. 04 – Series 2015 an Ordinance amending senior citizen water rates to encompass only those previously qualified senior citizens that were on the reduced rate on or before August 31, 2015 – Powell/Water Committee Pg 33

COUNCIL AND STAFF REPORTS

10. Town Planner

11. Town Attorney

12. Town Manager

- Manager's Report
- Action Report Pg 35

13. Town Council Comments

EXECUTIVE SESSION

14. Executive Session: An executive session for the purpose of conferencing with the Town attorney for the purposes of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – Battle Mountain – Powell/Sawyer

FUTURE AGENDA ITEMS

15. Next Meeting – July 15, 2015

- Presentation and update from Safebuilt, Charlie Davis, regarding 2015 Building Code and Electrical Inspections – Hawkinson
- Discussion/Action Item: Appeal of Sign Review by Planner at Magustos – Hawkinson

16. Future Meetings:

- Discussion regarding Human Resources
- Action Item: Marijuana discussion – September 16, 2015
- Discussion regarding Town’s code enforcement approach

17. Set Future Meeting Dates

- August 5, 2015
- August 20, 2015
- September 2, 2015

18. Planning & Zoning Commission Meetings:

- July 8, 2015
- August 12, 2015
- September 9, 2015

19. Other Dates:

- Independence Day Celebration – 07/02/15
- Office Closed – 07/03/15

20. Adjournment

Minturn Design Elements

...for the Entry Project Phase 1

Design Elements Obtained from Previous Plans and
Open House Town Meetings:

1. 2009 Master Plan
2. DCI Plan
3. OZ Plan

- Mountain Industrial
- Colorful
- Functional Art
- Historic - Present

Design Constraints

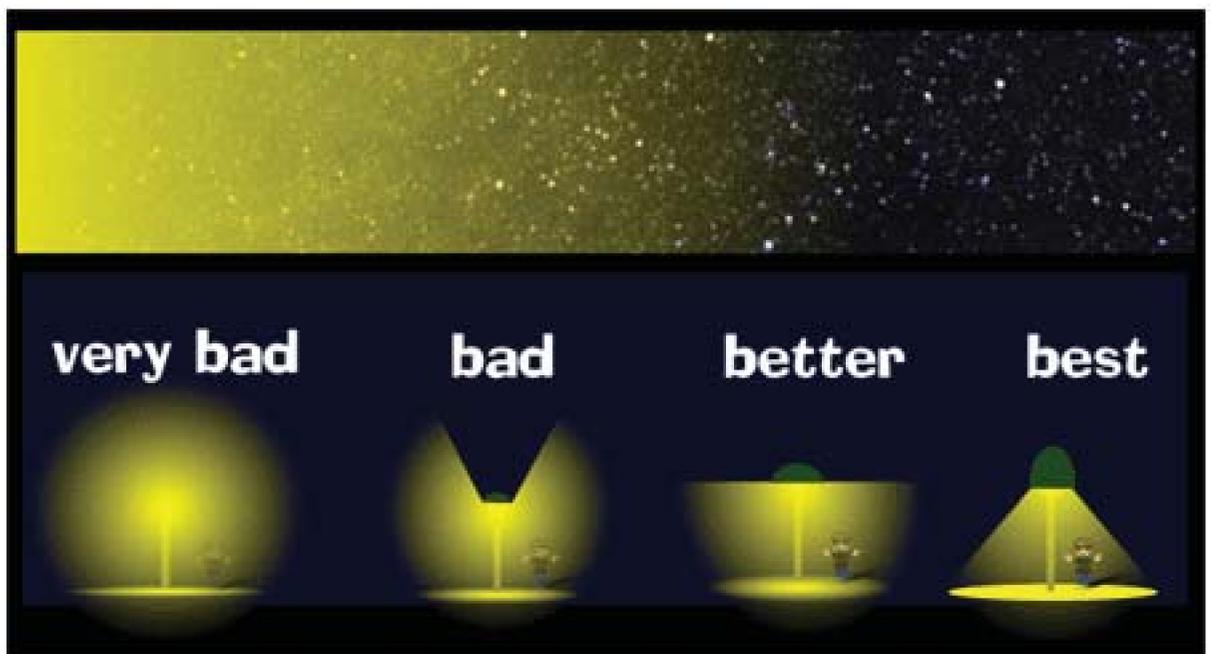
Snow



Narrow Sidewalks



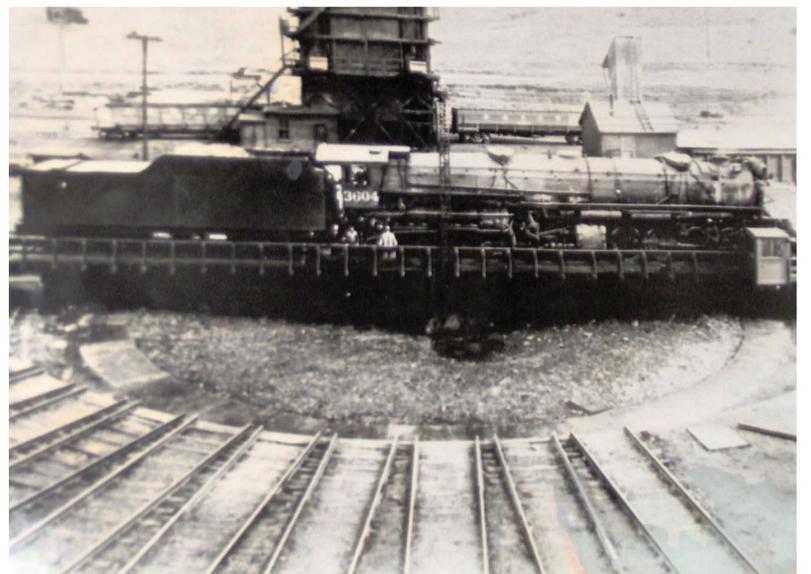
Dark Sky



Minturn Design Elements:

Mountain Industrial Materials

- steel
- rusted steel
- rustic wood
- tough
- rugged
- artistic
- granite
- stone



Minturn Design Elements: Colors

- royal blue
- gold
- white
- grey

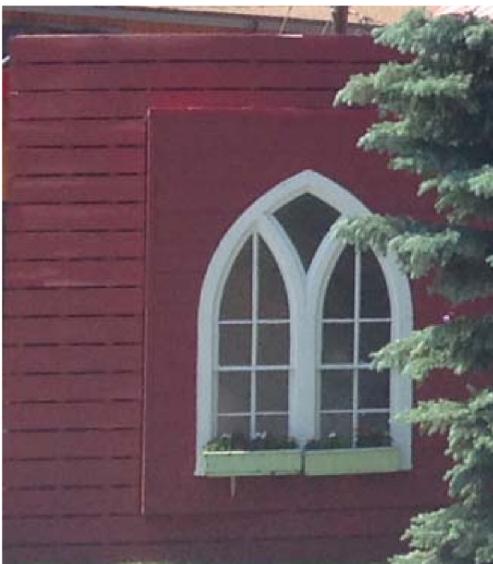


- silver
- black
- grey
- rust

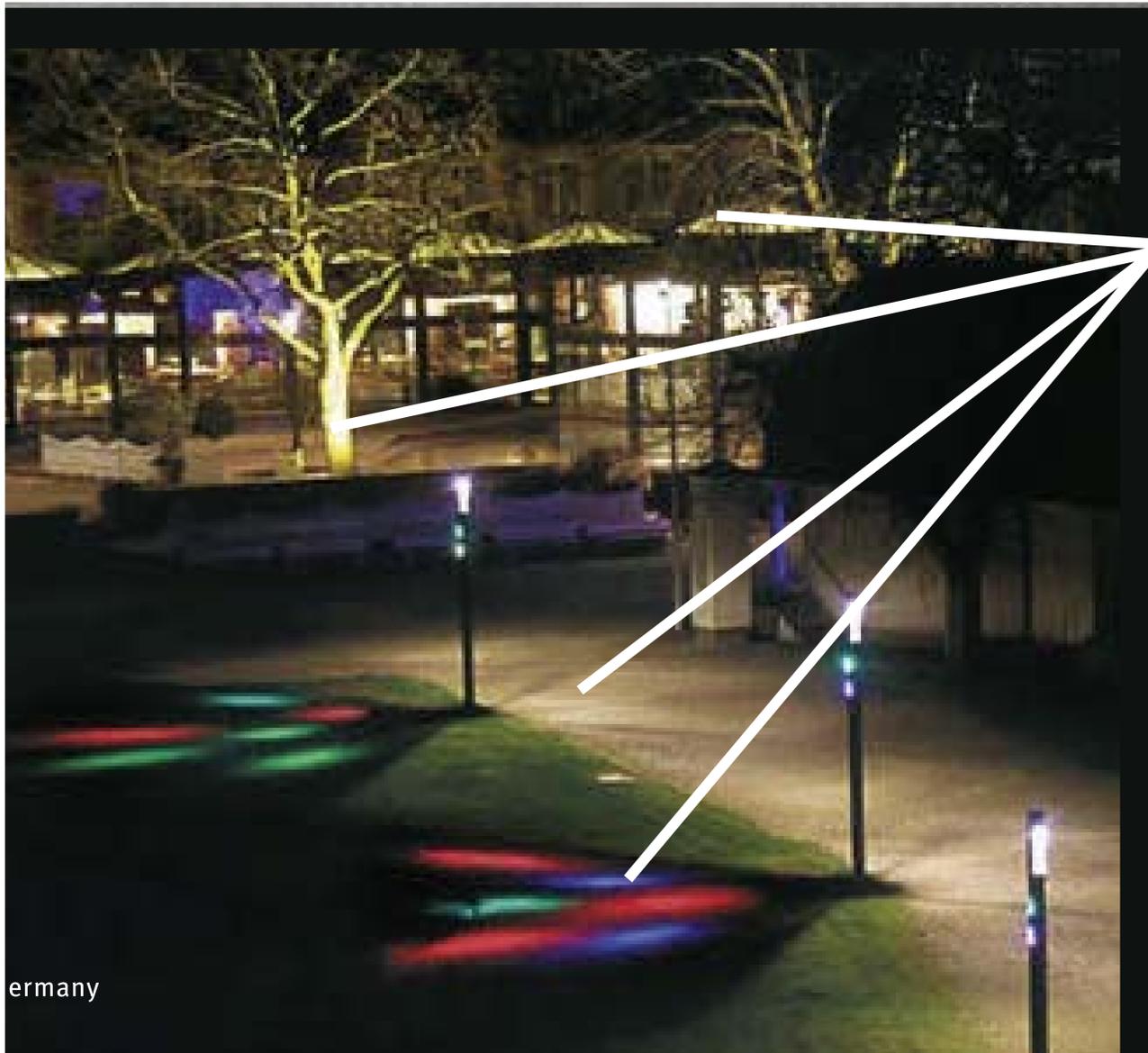


Colors in Town:

- red
- purple
- green
- tan
- sand
- brown
- yellow
- turquoise



Lighting Options



Layers and textures of light -

“can we” - “do we” want to create this style of lighting for Minturn Entry & Main Street?

ermany



The Benefit of this Light:

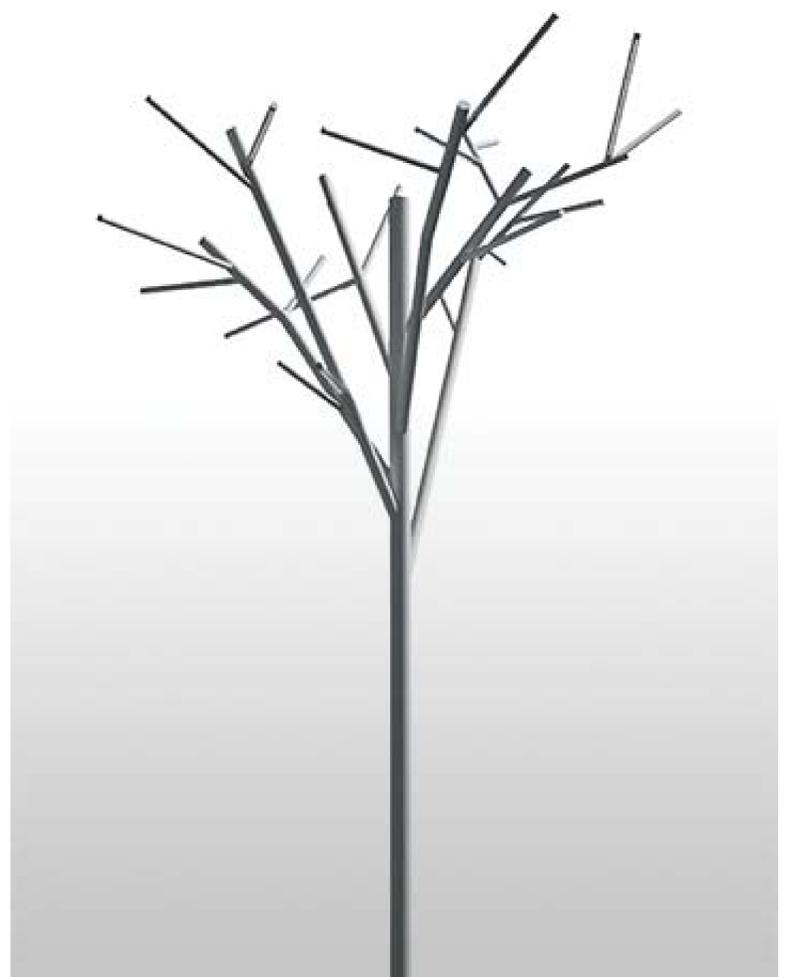
1. the pole creates 2 types of lighting: a colored light and a “safety” bright light for sidewalks and streets
2. it is a skinny - small diameter - pole that will not take up room on narrow 4-5' foot wide sidewalks - it can be tucked up next to buildings - safe from snow plows and cars

The tree light matches the

“one-of-a-kind”

“eclectic”

**design definition of Minturn -
the price?**

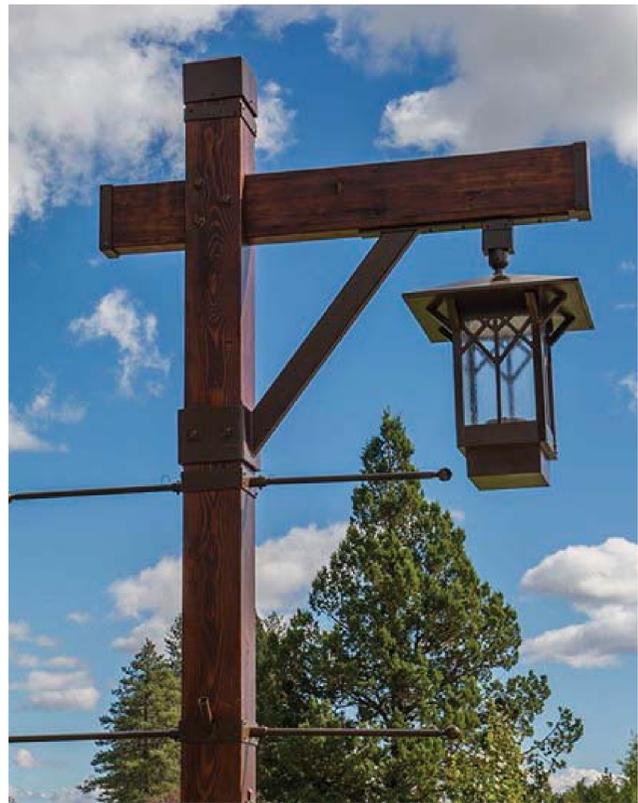


Lighting Options

The Benefit of this Light:



1. a traditional light - approval by masses
2. the style of wood & steel of the pole are the Minturn material designs
3. the lantern matches the Minturn mining - train style
4. can hang flowers and signs - is this really needed for tight Minturn sidewalks?
5. the base is large and takes up room - however can we bury the base?
6. the lantern of this light can not be directed as the pole light can



•this is a good light - however used in Edwards, Avon, Vail, etc.... not unique or eclectic



•other pole light options



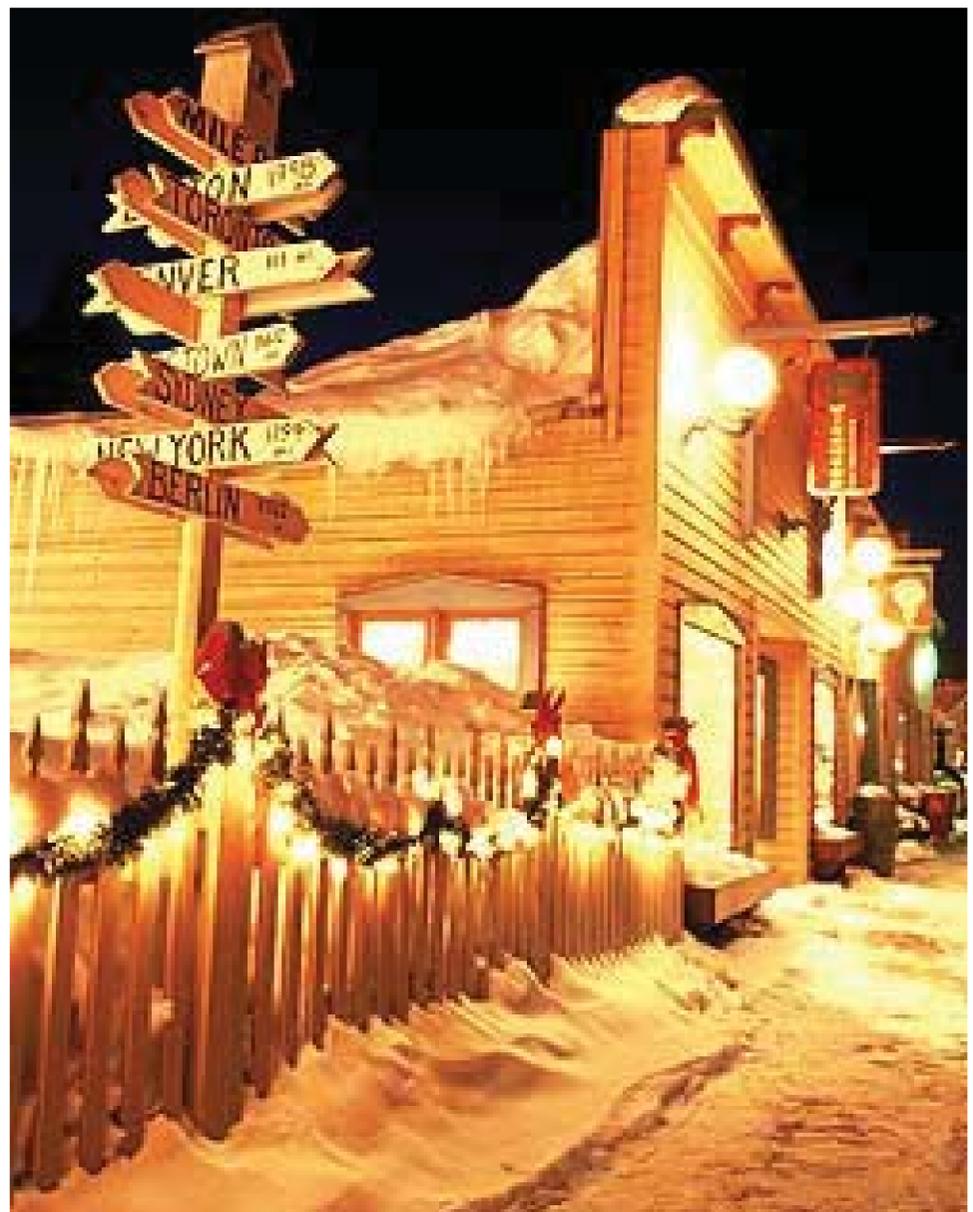
References





lighting goals:

- safety
- ambiance
- dark sky
- businesses create atmosphere
- layers of light
- texture
- lighting sidewalks with 4' tall path light while keeping the streets dark allows for slower traffic - safety
- light intersections
- utilize technology to create unique entrance at night
- majority of Main Street residential



To: Town Council
Fr: Water Committee

The Water Committee requests Council take action on the decision points listed below. If a decision is made to proceed, an ordinance will be drafted with an effective date of September 1. Water conservation matters can be discussed at a future meeting after more research is performed.

Town Council Water Decision Points – June 3, 2015

1. Commercial and residential have same rate structure and monthly rates-decided March 18.
2. Rates \$78/4000 GPM or \$79/6000 GPM.
3. How much restricted reserve should we have--\$1,000,000 in financials presented.
4. Phase out senior discount. Current recipients receive; no new added.
5. When to put into effect – discussion of September 1 effective date with no rate increase for 2016.

Or

6. Stay with the Status Quo and make no changes.

Future Decisions

1. Water conservation measures: Should water conservation measures be researched by the Water Committee and presented at a future meeting.
2. Emergency water saving measures: Should emergency conservation measures be researched by the Water Committee and presented at a future meeting.

BASE RATE REVENUE FORECAST

	\$78/mo. / \$4.53	\$79/mo. / \$4.53	\$78/mo. / \$4.53	\$79/mo. / \$4.53
4000 GALLONS PER MONTH				
Revenue from base usage	\$680,940	\$689,670	\$680,940	\$689,670
Revenue from usage over base amount	\$42,836	\$42,876	\$31,076	\$31,076
Total forecasted revenue	\$723,776	\$732,546	\$712,016	\$720,746
6000 GALLONS PER MONTH				
Revenue from base usage			\$680,940	\$689,670
Revenue from usage over base amount			\$31,076	\$31,076
			\$712,016	\$720,746

Water Fund	Priority	total cost estimate	permitting cost	easement cost	construction cost	plans and specs	potential grants
Major Capital Projects							
Little Beach Park							
Water and Sewer Lines	3	552,800					
Boneyard							
Water and Sewer Lines	4	56,000					
Cross Creek Intake Pond							
dredging project	5						
Looping Projects							
Mann to Water Tank Rd.	6	214,255					
Toledo to 1st St.	7						
Taylor St. to No. Main	8						
Clear Well Baffles	2						
Malott Park Chlorine Analyzer	1						
Equipment							
Total Costs		803,055					

Exhibit B - Comparison
Recommended rates for 2015

OWNER	ADDRESS	SFE	June 2013		CURRENT 2014 COST	\$732,000.00		\$769,000.00		\$736,000.00		\$724,000.00		\$712,000.00		\$721,000.00		\$741,000.00		\$729,000.00		
			Use	2013 Use		\$8/kgal	\$50 and \$8/kgal	\$9/kgal	\$50 and \$4.53/kgal >2kgal	\$78 AND >4000	\$78 AND >6000	\$78 AND >4000	\$79 AND >4000	\$78 AND >4000	\$78 AND >6000	\$79 AND >6000	\$79 AND >6000	\$80 AND >4000	\$80 AND >6000			
Hawkeye Flaherty	160 Main	2.0	22,000	152.86	276.00	298.00	221.54	219.42	201.30	221.42	203.30	223.42	205.30	79.00	79.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00
John Rosenfeld	1041 Main	1.0	3,000	76.43	74.00	77.00	74.53	78.00	78.00	79.00	79.00	80.00	80.00	79.00	79.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00
Aggie Martinez (Sen)	962 Main	1.0	8,000	57.32	85.50	91.50	72.89	72.09	65.30	72.84	66.05	73.59	66.80	72.84	72.84	73.59	73.59	73.59	73.59	73.59	73.59	73.59
Earle Bidez	449 Pine	1.0	19,000	95.07	202.00	221.00	147.01	145.95	136.89	146.95	137.89	147.95	138.89	146.95	146.95	147.95	147.95	147.95	147.95	147.95	147.95	147.95
Darrell Wegert	1716 Main	1.0	14,000	87.35	162.00	176.00	124.36	103.30	114.24	124.30	115.24	125.30	116.24	124.30	124.30	125.30	125.30	125.30	125.30	125.30	125.30	125.30
Shelley Bellm	470 Main	1.0	7,000	76.43	106.00	113.00	92.65	91.59	82.53	92.59	83.53	93.59	84.53	92.59	92.59	93.59	93.59	93.59	93.59	93.59	93.59	93.59
George Brodin	273 Boulder	1.0	15,000	90.08	170.00	185.00	128.89	127.83	118.77	128.83	119.77	129.83	120.77	128.83	128.83	129.83	129.83	129.83	129.83	129.83	129.83	129.83
Jerry Bumgarner	612 Main	1.0	3,000	76.43	74.00	77.00	74.53	78.00	78.00	79.00	79.00	80.00	80.00	79.00	79.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00
Saloon	146 N Main	2.6	26,000	242.35	338.00	364.00	276.22	273.47	249.91	276.07	252.51	278.67	255.11	276.07	276.07	278.67	278.67	278.67	278.67	278.67	278.67	278.67
Tuntable	160 RR Ave	26.6	129,000	2,479.36	2,362.00	2,491.00	2,205.37	2,177.18	2,074.80	2,203.78	2,101.40	2,230.38	2,125.00	2,203.78	2,203.78	2,230.38	2,230.38	2,230.38	2,230.38	2,230.38	2,230.38	2,230.38
Frank Lorenti	1081 Main	2.5	45,000	233.03	485.00	530.00	356.20	353.55	330.90	356.05	333.40	358.55	335.90	356.05	356.05	358.55	358.55	358.55	358.55	358.55	358.55	358.55
Car Wash	457 Main	1.5	13,000	139.82	179.00	192.00	150.30	148.71	135.12	150.21	136.62	151.71	138.12	150.21	150.21	151.71	151.71	151.71	151.71	151.71	151.71	151.71
Tom Sullivan	116 Nelson	1.0	38,000	156.40	354.00	392.00	233.08	232.02	222.96	233.02	223.96	234.02	224.96	233.02	233.02	234.02	234.02	234.02	234.02	234.02	234.02	234.02
Johnnies Garden	1923 Main	1.5	23,000	139.82	259.00	282.00	195.60	194.01	180.42	195.51	181.92	197.01	183.42	195.51	195.51	197.01	197.01	197.01	197.01	197.01	197.01	197.01
Tony Aiello	30 Mann	1.0	16,000	92.81	178.00	194.00	133.42	132.06	123.30	133.06	124.30	134.06	125.30	133.06	133.06	134.06	134.06	134.06	134.06	134.06	134.06	134.06
Matt Scherr	501 Main	1.0	4,000	76.43	82.00	86.00	79.06	78.00	78.00	79.00	79.00	80.00	80.00	79.00	79.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00
Joyce Bellm (Sen)	192 Main	1.0	7,000	57.32	79.50	84.75	69.49	68.69	61.90	69.44	62.65	70.19	63.40	69.44	69.44	70.19	70.19	70.19	70.19	70.19	70.19	70.19
MFC (July 2014 w 13 rates)		10.3	36,000	960.06	803.00	839.00	790.76	803.40	803.40	813.70	813.70	824.00	824.00	813.70	813.70	824.00	824.00	824.00	824.00	824.00	824.00	824.00

*All per SFE

*Maintains Grandfathered Senior Discount

NOTE: This worksheet was added per request of Hawkeye.

RESIDENTIAL WATER RATES

YEAR	EFFECTIVE			NOTES
	BASE	DEBT SVC	RATE	
2010	63.92	0.00	63.92	15K down to 10k gal/mo
2011	63.92	10.67	74.59	1st year of Debt Svc fee
2012	67.11	6.50	73.61	
2013	68.45	5.93	74.38	
2014	70.50	5.93	76.43	
2015	73.32	5.93	79.25	
2015 PROPOSED	78.00	0.00	78.00	based on 4k gal/mo
2015 PROPOSED	79.00	0.00	79.00	based on 6k gal/mo

	TOTAL						NOTES
	DEBT #1	DEBT #2	DEBT #3	DEBT #4	DEBT #5	DEBT SVC	
2010	0.00	0.00	0.00	0.00	0.00	0.00	
2011	4.13	0.61	2.53	1.73	1.67	10.67	2
2012	0.00	0.57	2.53	1.73	1.67	6.50	1, 2
2013	0.00	0.00	2.53	1.73	1.67	5.93	1, 2
2014	0.00	0.00	2.53	1.73	1.67	5.93	1, 2
2015	0.00	0.00	2.53	1.73	1.67	5.93	1, 2
2016	0.00	0.00	0.00	0.00	1.67	1.67	1, 2, 3

1 = Reflects debt retirements

2 = Water only, does not include loader or building debt

3 = adjusted to reflect \$200k payoff



Official Minutes

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

Wednesday June 17, 2015

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

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 – 5:30pm

- Presentation and acceptance of the 2014 Fiscal Audit - Brunvand
- Discussion Regarding Town Council Comments and Special Presentations – Powell/Brodin
- Water Rate Structure and Monthly Rates – Powell/Brunvand/Water Committee

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye F. at 6:35pm.

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, Matt Scherr, John Rosenfeld, Earle Bidez, and Jason “Ozzy” Osborne. Note: Shelley Bellm was excused absent.

Staff present: Town Manager Willy Powell, Town Attorney Michael Sawyer, Town Clerk Jay Brunvand, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added
- Add railroad committee report to Special Presentations

Motion by John R., second by Ozzy O., to approve the agenda as amended. Motion passed 6-0. Note: Shelley Bellm was excused absent.

3. Approval of Minutes

- June 3, 2015

Motion by John R., second by Ozzy O., to approve the minutes of May 20, 2015 as presented. Motion passed 6-0. Note: Shelley Bellm was excused absent.

4. Liquor Authority

- Town of Minturn 4th of July Request for Special Event Permit; 800 Cemetery Rd.; Michelle Metteer, Town Economic Dev Coordinator – Brunvand

Jay B. presented the permit application with a recommendation for approval with the conditions noted.

The Public Hearing was opened and closed, no comments pro or con.

Motion by Ozzy O., second by George B., to approve the Town of Minturn Independence Day Celebration Request for Special Event Permit to sell malt, vinous and spirituous liquor beverages to be located at Little Beach Park as defined on the attached location map; 800 Cemetery R. to be held on July 2, 2015; Michelle Metteer, Town Economic Dev Coordinator as presented with the following conditions. Motion passed 6-0. Note: Shelley Bellm was excused absent.

- The application was received on June 3, 2015 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on June 5, 2015 at least 10 days prior to the Council Meeting consideration.
- That the selling of liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- Staff requires 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

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

6. Special Presentations:

- Committee Reports
 - Parks Committee – Hawkinson

The Eagle River Park restrooms are open and operational. The basketball net will be installed hopefully next week. There will be a topo map of the Minturn valley. It is being created by LGM Inc. The Senior Garden at the Town Hall has been planted. The Yoga in the Park will begin at 9:30 on Saturdays at Little Beach Park and Public Works has refinished the stage floor.

- Railroad Committee – Brodin

An application was submitted for a path through the Union Pacific Railroad property and it was denied by the Railroad. The committee is considering options and will report back after they have had a chance to discuss the options with the County.

PUBLIC HEARINGS AND ACTION ITEMS

7. Discussion/Action Item: Presentation and Acceptance of the 2014 Fiscal Audit - Brunvand

Hawkeye stated the Town is in excellent financial condition and is looking at projects and upgrades.

Motion by Ozzy O., second by Johnie R., to accept the FY2014 audit as presented. Motion passed 6-0. Note: Shelley Bellm was excused absent.

8. Discussion/Action Item: Water Rate Structure and Monthly Rates – Powell/Brunvand/Water Committee

Matt S. stated he felt the \$1m restricted reserve is sufficient and would allow the Council sufficient other funds to complete needed updates annually. The Staff and Council are considering projects and when those will be scheduled.

Discussion ensued as to the benefit of a fair and sufficient reserve and that the direction the Water Committee is proceeding with a tiered water rate structure is positive. It was noted that an SFE might be related to an acre foot and it was questioned if the definition implies that you would get one acre foot supplied for the base rate. It was noted that with efficient home appliances we are reducing our consumption. You can have a definition for an SFE that does not directly correlate to a billing factor or a specific base supply. It was noted the SFE calculation is derived from the ERWSD.

Hawkeye stated he preferred the water rate paying for the water need and retaining the debt fee for payment of our water debt needs. Discussion ensued of the cost of borrowing money, the availability of grants when we need them, and the ability to pay for maintenance issues.

The council generally felt:

- 6,000 gal and \$79 base was the preferred.
- \$1m restricted reserve is sufficient.
- The Debt Service fee could still be used by reducing the \$79 and splitting out the Debt Service cost.
- Commercial and Res should be the same rate.
- Senior discounts are phased out and grandfathered.
- Implementation would begin 9/1/15 for bills sent on October 1.

9. Discussion/Action Item: Set time and date for a Worksession discussion of Marijuana – Powell/Sawyer

Willy P. referred the Council to the CML website (www.cml.org) for background information and then asked what information Council wants Staff to prepare for discussion. It was noted it did not make sense to put a lot of work and discussion into information and before Council votes to decide the fundamental decision to approve or deny retail and other marijuana operations. Mike S. discussed with the Council that if four Council members were willing to pass legislation then we should begin the process but not before.

Mike S. will distribute to the Council an outline of local control related to marijuana licenses available for the sale/grow/process of marijuana.

Direction was to place this on the meeting of September 16, 2015 as an Action Item, not a Worksession item.

COUNCIL AND STAFF REPORTS

10. Town Planner

- 273 Boulder St – Brodin Residence

At this point, Mayor Pro Tem recused himself from the Council meeting.

Janet H. presented to the Council the proposal. It was noted, that because George B. is a sitting Council Member he requested this be approved by the Planning Commission and that Council also have a chance to see the approval given.

- Boneyard Update
- Entrance Project

Janet H. updated the Council on issues that have been at Staff Level on the entrance project.

11. Town Attorney

12. Town Manager

- Manager's Report

Main St. Discussion

We will have a discussion which includes the following matters.

- Entryway/100 Block
- Energy Impact Grant
- TAP grant
- CDOT repaving schedule 2018
- CDOT Four Year Plan 2018—2022

Tax Exempt Status—MEF and MFC

I am working with Novosad Lyle Accountants for achieve 501.c.3 tax exempt status for both the MEF and MFC. Achieving the status was put on hold during tax season by the firm. I will be pressing them to make application to the IRS as soon as possible. Johnie R. noted that he believes the MFC tax exemption application is approved. Willy P. said he would check with Mike Trueblood of the MFC to confirm.

Minturn Road

Additional road base material has been place on town portion by county. Town pays for material and transport, county installs free of charge. Stabilizer and dust suppressant coming.

- Willy P. updated the following on the entryway and Main St projects.

There are many intertwined topics with respect to Entryway and Main St.

Entryway/100 Block Engineering

We are engineering the Entryway and 100 Block, which has many complexities. Council earlier directed staff to submit preliminary plans to CDOT. Because of complexities, the submittal will be this week. However some of the complexities may affect other areas of Main St. So it will be good to get a read on how our proposal is treated. Many complexities have been discussed with CDOT but we will soon get an official reading.

Energy Impact Grant Application

The town has submitted a 50/50 grant application to the Department of Local Affairs to fund the Entryway and 100 Block Project. The funding request is for a total of \$600,000 (\$300,000 each). Staff will make a presentation before the advisory committee on July 21 or 22 and a decision will be made in late July, with an IGA likely in late August or September.

TAP Grant

The TAP grant award notification has been received. The grant awards a total of \$320,100 (\$64,020 local/\$266,080 state) for engineering pedestrian and drainage improvements from Bellm Bridge to Maloit Park Rd. Staff will have a kick off meeting with CDOT on July 9 which outlines the requirements of the program. It will take several months to execute the IGA. Reimbursable funds are not allowed before execution of the agreement.

CDOT Maintenance Repaving 2018

CDOT has in their maintenance budget repaving US 24 from Dowd Jct. to Maloit Park Rd. The paving will be from curb to curb in the old part of town. No advancement of funds is allowed, unless some different project falls out.

Four Year Plan 2018—2022

CDOT will be developing a Four Year Plan for implementation of projects in that time period. The Eagle CDOT staff states that Minturn may be high on the list for funding improvements on US 24 and it would be good to couple the Four Year funding with the 2018 Maintenance funding. Little detail of the plan is known at this time. At question is how we can guarantee Minturn will be in the Four Year Plan, and if so, will we be funded in 2018. The TAP Grant will allow the town, in conjunction with CDOT, to engineer all of US24 from Bellm to Maloit prior to the funding cycle beginning in 2018. If the above construction funding is awarded, All of US 24 could be improved in one project, likely over a two year construction schedule.

The CDOT Maintenance Repaving 2018 is curb to curb and would include some rotomilling. The intent would be to totally reconstruct the roadway to address the depth of the existing pavement and the curb heights.

- Action Report

13. Town Council Comments

Johnie R felt very positive on all the efforts for the 100 Block project and felt this was a very wide ranging benefit for the Town and felt this was where the focus should be for the Town.

Ozzy O. reminded the community that the bears are out and to take care of their trash. He stated that Kelly, Director of the Eco Transit is moving on to RFTA and thanked her for her work

George B. felt political speaking would be to speak for the general community not to speak correctly.

Matt reminded Wednesday 6/24 is bike to work day

Hawkeye reminded everyone of the Independence Celebration in Minturn on July 2nd at Little Beach Park.

EXECUTIVE SESSION

14. Executive Session: An executive session for the purpose of conferencing with the Town attorney for the purposes of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – Battle Mountain – Powell/Sawyer

Motion by Ozzy O., second by George B., to convene in executive session for the purpose of conferencing with the Town attorney for the purposes of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations,

and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – Battle Mountain. Motion passed 6-0. Note: Shelley B. was excused absent.
As a result of the Executive Session Staff was directed to negotiate with Battle Mountain representatives.

FUTURE AGENDA ITEMS

15. Next Meeting – July 1, 2015

- Action Item: Water rates
- Work Session: SafeBuilt, Charley Davis, regarding 2015 building code and electric inspections
- Work Session: Order of the Agenda

16. Future Meetings:

- Discussion regarding Human Resources
- Action Item: Marijuana discussion – September 16, 2015
- Discussion regarding Town’s code enforcement approach

17. Set Future Meeting Dates

- July 15, 2015
- August 5, 2015
- August 20, 2015

18. Planning & Zoning Commission Meetings:

- July 8, 2015
- August 12, 2015
- September 9, 2015

19. Other Dates:

- Independence Day Celebration – 7/2/15

20. Adjournment

Motion by Ozzy O., second by Johnie R., to adjourn at 9:45pm.

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand



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: Mayor, and Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, June 24, 2015
RE: Special Event Permit – July 2, 2015

SUMMARY:

At tonight's meeting the Council is asked to approve a Special Event Permit for the Vail Symposium events scheduled for Wednesday nights August 19, 26, and September 2, 2015. The location of this permit request is at Little Beach Park. 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 as defined in the attached application as presented with the following conditions:

- The application was received on May 29, 2015 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on June 19, 2015 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 requires the company supplying the alcohol set up, serve, and tear down, that at least one T.I.P.S, or equivalent certified server be present, and one person to check ID's 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 and premises be monitored and secured to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.

ATTACHMENTS:

- Application

DR B439 (06/28/00)
 COLORADO DEPARTMENT OF REVENUE
 LIQUOR ENFORCEMENT DIVISION
 1376 SHERMAN STREET
 DENVER CO 80261
 (303) 205-2300

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 type="checkbox"/> ATHLETIC | <input checked="" 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:	
2110	<input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR	\$25.00 PER DAY
2170	<input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer)	\$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE State Sales Tax Number (Required)

Vail Symposium 98

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)

Po Box 3038
Vail, CO 81658

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)

Little Beach Park
801 Edg Road (Cemetery Rd)
Minturn, CO 81645

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SECY OF ORG. or POLITICAL CANDIDATE			
5. EVENT MANAGER			

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE Tracey Flower	9/21/82	PO Box 3806 Vail, CO 81658	970-331-1290
5. EVENT MANAGER Kristen Van Norman	12/30/84	PO Box 8905 Iron, CO 81620	970-401-4210

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	Date	Date	Date
Hours From	Hours From	Hours From	Hours From
To	To	To	To
8/19/15	8/20/15	9/21/15	
5:00p.m.	5:00p.m.	5:00p.m.	
9:00p.m.	9:00p.m.	9:00p.m.	

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	DATE
<i>Kristen Van Norman</i>	Program Development Manager	5/29/15

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)	\$

(Instructions on Reverse Side)

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.)

(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.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO
CERTIFICATE OF REGISTRATION

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

VAIL SYMPOSIUM

is a **Charitable Organization** registered to solicit contributions in Colorado as required by the Colorado Charitable Solicitation Act, Title 6, Article 16, C.R.S.

This organization has been assigned a registration number of 20123031234.

The status of its registration is **GOOD**, and this status has been in effect since 07/24/2014.

The organization's registration is or was due to be renewed by 08/15/2015.

Registrations in good or delinquent status remain valid until the registration becomes suspended or revoked. An organization whose registration has been suspended is prohibited by law from soliciting contributions, providing consulting services in connection with a solicitation campaign, or conducting a solicitation campaign in Colorado.

This certificate reflects facts established or disclosed by documents delivered to this office electronically through 07/25/2014.

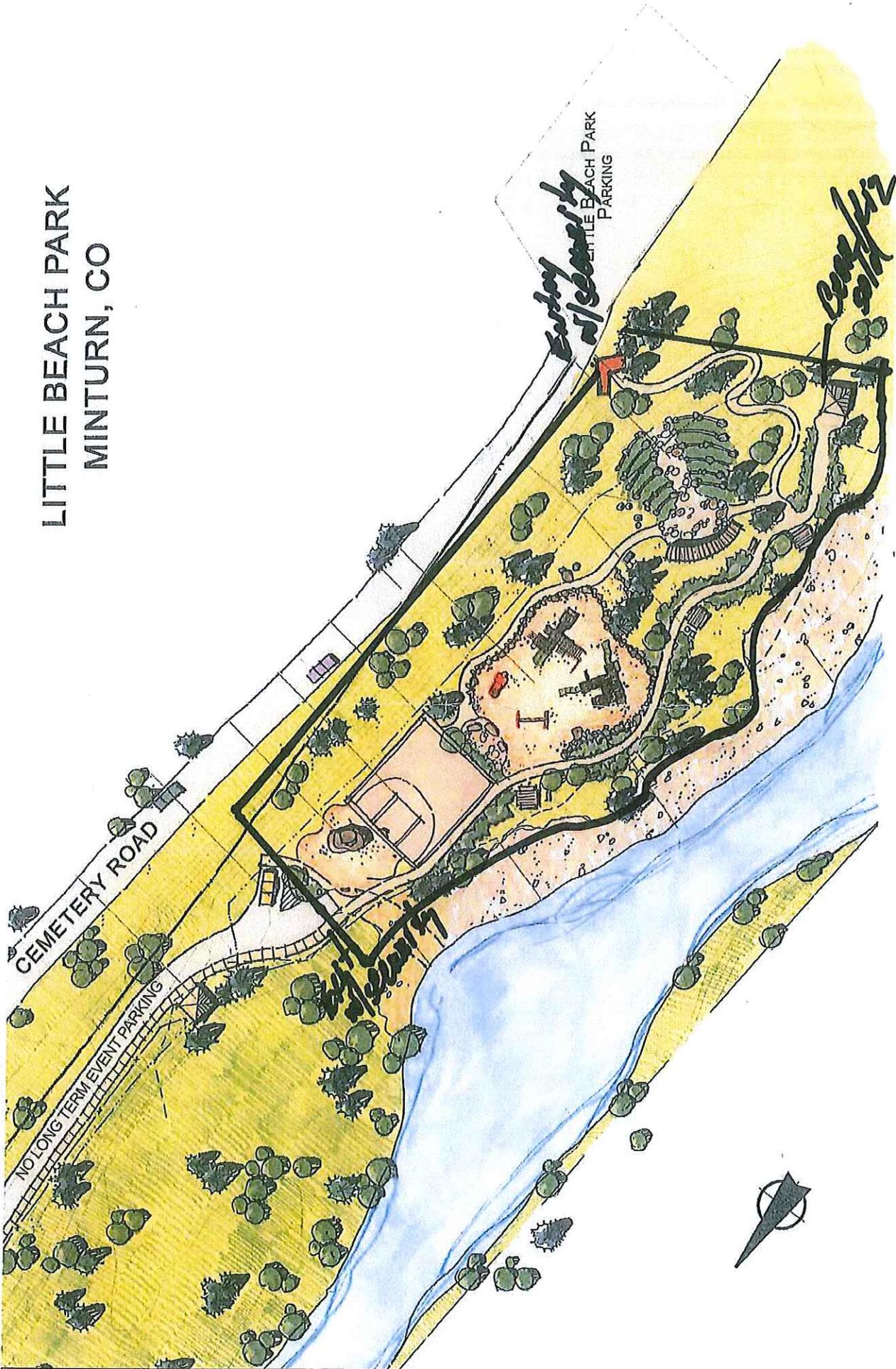
IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Great Seal of Colorado, at the City of Denver on 07-25-2014 10:36:48



Secretary of State of the State of Colorado

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective.

LITTLE BEACH PARK MINTURN, CO



TOWN OF MINTURN / PO BOX 309 / MINTURN, CO 81645
(970) 827-5645 / INFO@MINTURN.ORG / WWW.MINTURN.ORG

**TOWN OF MINTURN
LIQUOR LICENSING AUTHORITY**

Follow-up findings and report for application of a Special Event Liquor Permit.

Owner Name and Address: Little Beach Park Town of Minturn, P. O. Box 302 Minturn, CO 81645
Establishment Name and Address: Vail Symposium, P.O. Box 3038 Vail, CO 81658

TO THE ABOVE APPLICANT AND OTHER INTERESTED PARTIES;

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

That the application was filed on May 29, 2015 in the Town Treasurer's office and a public hearing has been scheduled for Wednesday July 1, 2015.

That the premise being considered is Little Beach Park at 801 Cemetery Rd In Minturn. During previous years this site has been licensed as requested in conjunction with events.

That the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on Friday June 19 at least 10 days prior to the hearing (12 Days).

That from the evidence submitted Town of Minturn owns the park and the Town has provided written authorization to the applicant to hold the event as required by law.

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 Code.

That Eagle County Sheriff's Office acting for Minturn has conducted a background investigation on the principals involved in this application and no issues that would indicate poor moral turpitude were identified.

The public hearing on this application will be held on Wednesday, July 1, 2015 at 6:30pm in the Council Chambers of the Minturn Town Hall, 302 Pine St, Minturn, CO. At said hearing, the applicant shall have an opportunity to be heard regarding all matters related to this application, including all matters set forth herein. The application was approved at staff level with the following findings and conditions:

- The application was received on May 29, 2015 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on June 19, 2015 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 requires the company supplying the alcohol set up, serve, and tear down, that at least one T.I.P.S, or equivalent certified server be present, and one person to check ID's 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 and premises be monitored and secured to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.

The applicant is advised and encouraged to read a copy of the State of Colorado Liquor and Beer Codes and Regulations. This memorandum was delivered to the applicants on 6/20/15.

Local Liquor Licensing Authority
Minturn Town Treasurer


Jay Brunvand

Dated this 26th day of June, 2015.



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

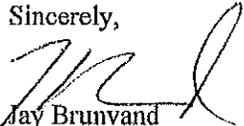
TO: Town of Minturn
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, June 24, 2015
RE: Special Event Liquor Permit

I am in receipt of your Special Event Permit application for an event to be held on August 19, 26, and September 2, 2015 at Little Beach Park 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: Phillip Cusick, ECSO-Minturn
Mike Sawyer, Town Attorney
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, June 03, 2015
RE: Special Event Permit

I am in receipt of a Special Event Permit submitted by the Town of Minturn for an event at Little Beach Park on Wednesday nights August 19, 26, and September 2. 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 preliminarily scheduled this for Council review on July 1st If this date does not work for you let me know. 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

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 07 – SERIES 2015**

**A RESOLUTION SETTING AND APPROVING WATER
RATE FEES FOR THE TOWN OF MINTURN,
COLORADO EFFECTIVE SEPTEMBER 1, 2015.**

WHEREAS, The Town of Minturn reviews and approves such fees by Resolution annually and as necessary, and;

WHEREAS, The fee schedule is available for review during regular business hours at the Town Offices.

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

Section 1.

- a) The in-Town metered Water fees are set and hereby adopted effective September 1, 2015 as follows:
- | | |
|-------------------|--|
| Residential Water | \$79.00 base rate up to 6,000 Gallons/Month |
| Commercial Water | \$79.00 base rate up to 6,000 Gallons/Month |
| Debt Service Fee | \$ 0.00 |
| Excess Water Fee | \$4.53/1,000 gallons on all usage in excess of 6,000 Gallons/Month |
- b) Out-of-Town metered water rates shall be billed at one hundred twenty-five percent (125%) of the in-Town metered water rates.

Section 2.

In the event of a conflict between the fees, rates and charges listed herein and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED
THIS 1st DAY OF JULY, 2015**

ATTEST:

HAWKEYE FLAHERTY, MAYOR

JAY BRUNVAND, TOWN CLERK

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2015**

**AN ORDINANCE AMENDING AND RESTATING SECTION 13-4-70(b) OF THE
TOWN CODE PERTAINING TO SENIOR CITIZEN WATER RATES TO
ENCOMPASE ONLY THOSE PREVIOUSLY QUALIFIED SENIOR CITIZENS
THAT WERE ON THE REDUCED RATED ON OR BEFORE AUGUST 31, 2015**

WHEREAS, The Town of Minturn supplies potable water to residences within its service area, and

WHEREAS, The Town of Minturn reviews and approves fees charged to receive water service, and

WHEREAS, Residents over the age of sixty five (65) years have previously only been charged seventy five percent (75%) of the regular water service fee, and

WHEREAS, The Town Council believes that having a single water service fee applicable to all residences furthers the best interests of the Town and its water utility.

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

Section 1.

Section 13-4-70(b) of the Town Code is hereby amended and restated as follows:

A resident that attained the age of sixty five (65) years and properly enrolled in the senior citizen rate plan prior to August 31, 2015, shall pay a metered water service rate of seventy-five percent (75%) of the standard metered residential basic monthly charge per SFE plus seventy-five percent (75%) of the use charge per one thousand (1,000) gallons in excess of the base water allotment. The senior citizen rate plan shall continue in effect for qualified residents until: (a) the senior citizen is no longer the primary resident of the property, or (b) water service has been terminated to the property, whichever occurs first. For any resident over the age of sixty five (65) years who was not enrolled in the senior citizen rate plan prior to August 31, 2015, the standard metered residential basic monthly charge shall apply.

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 1ST DAY OF JULY, 2015. 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 15TH DAY OF JULY, 2015 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

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 15TH DAY OF JULY, 2015.

Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand, Town Clerk

ACTION ITEMS REPORT

From: Town Manager
01-Jul-15

Action Item	Responsible staff	Status
Eagle River Park Grant "History Walk in the Park" and bathrooms	Hawkinson	Bathrooms open Design for educational portion beginning
Lease Lot cleanup and leasing	Martinez	improve berm, change entrance, remove spoils, access road make improvements, then advertise spaces conditional use permits and land lease for tenants lease procedures approved by resolution on June 3
Boneyard	Hawkinson	slash piles cleaned, VSSA and boy scouts site plan/management plan update June 17 County has given comments on site plan, mgmt plan
Little Beach Park perfect ownership	Powell Sawyer	GOCO grant denied quiet title action has been filed
Memorialization Guidelines	Metteer	staff presented Jan. 21
Minturn Fitness Center	Powell Rosenfeld Bidez	Willy working with accountant for tax exempt status achieve property tax exemption--application is submitted achieve 501.c.7 non-profit status
Minturn Education Fund	Powell Bellm	achieve 501.c.3 non-profit status deadline extended to 8/15/15 Willy working with accountant for tax exempt status scholarships to be awarded in Spring
Zoning Code Amendments	Hawkinson Powell Sawyer	phase 1 complete and adopted by Council phase 2 schedule to be decided
Guide Sign Plan	Metteer	staff presentation on April 1 Take to CDOT for approval
Water Rate Structure and Rates	Powell water committee	continued discussion june 17 Potential Amendments to Water Ordinance
Entryway/100 Block Project	Powell Hawkinson Inter-Mountain Engr.	concept plan complete and reviewed by stakeholders preliminary plan submitted to CDOT week of June 15 Mineral and Energy Impact Grant submitted April 1, July awards
South Minturn Engineering	Powell Hawkinson Inter-Mountain Engr.	TAP grant award letter received a procedures "check list" meeting with CDOT to be scheduled Spanel and Powell discussing scope and details of project