



REGULAR MEETING OF THE • MINTURN TOWN COUNCIL
Wednesday, June 16, 2004

REGULAR MEETING, Council Chambers – 7:00PM

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

MAYOR - Gordon “Hawkeye” Flaherty,
MAYOR PRO TEM - Darell Wegert

TOWN MANAGER - Ann K. Capela
TOWN CLERK/TREAS - Jay Brunvand

COUNCIL MEMBERS:

George Brodin
Jerry Bumgarner
Bill Burnett
Fred Haslee
Tom Sullivan

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

- Planning and Zoning update and discussion

REGULAR MEETING

1. Call to Order
 - a. Roll Call

Mayor Flaherty called the meeting to order at 7:00 p.m. Present were Mayor Hawkeye Flaherty, Tom Sullivan, Jerry Bumgarner, Fred Haslee and Darell Wegert. Bill Burnett and George Brodin were absent with excused absences.

Staff present were Nicole Magistro, Administrative Assistant; Jay Brunvand, Town Treasurer/Clerk; Allen Christensen, Town Attorney; Wiley Smith, Town Planner; Ann Capela, Town Manager; and Lorenzo Martinez, Chief of Police.

- b. Pledge of Allegiance
2. Discussion of the Agenda
 - a. Items to be pulled from Action Calendar
 - b. Items to be pulled from the Discussion Calendar.

Hawkeye F. asked to pull the “old bakery” from the discussion calendar due to request from the town attorney and property owner.

- c. Items to be pulled from the Consent Calendar.
- d. Emergency Items to be added.
- e. Order of the Agenda Items.
- f. Approval of the agenda.

Motion by Tom S., second by Fred H., to approve the agenda as amended; all voted in favor. *Note: Bill B. and George B. were absent.*

3. Approval of the Consent Calendar

There were no items on the consent calendar.

4. Approval of the Minutes

- June 2, 2004

Motion by Tom S., second by Darell W., to approve the minutes from June 2, 2004; four voted in favor, Fred H. abstained. *Note: Bill B. and George B. were absent.*

5. Council Member Reports/Announcements

Hawkeye F. wished the community a Happy Fourth of July. He also invited the town residents to participate in the Minturn Independence Day Celebration on Friday, July 2, 2004.

6. Special Presentations/Citizen Recognition

7. Public comments on items, which are **NOT** on the agenda.

Dave Blauch of Ecological Resource Consultants summarized the activity that has started along the river, which includes planting and revegetation from La Playuella Park through down town. Approximately 75 percent of the railroad side plantings have been completed and new trees will start to be planted next week. Boulders will be placed along the banks of the river of the 100 block starting next week. No work should be taking place in the water. Regular maintenance for watering and weed control will take place as needed throughout this summer and next summer. If people need to reach the crew, they can reach Dave on his cell phone at 720.273.7743.

Tony Aeillo of 30 Mann Avenue summarized a parking issue he has identified in town. He stated that he had verbal permission from the police chief to park on the “back road.” It is currently not signed, and was outside of the 16-foot requirement. He stated that he received two parking tickets for parking in this location. He stated that he believes the officer did not act in good faith. Mr. Aeillo stated that he then asked permission from the chief to park there, and that he is currently parked there. He then asked the town council to dismiss the ticket. Hawkeye F. stated that Mr. Aeillo needed to go to court to resolve this issue, and that the town council is not involved in the judicial process. However, he will address the staff issue with the town manager.

Tim and Jack Campbell of 512 Main Street explained that Minturn Public Radio was a granted permission of the Federal Communications Commission. The radio station is in

its early planning stages, and the original board is trying to get the business plan together. This summer, the board hopes to make the official announcement. The main issues are finding a space for the station and raising enough money to support it. He hopes to keep the town involved in the process and conversation. He noted that the central location of the town center would be a good office location in the future. In redirecting their efforts over the three-year process, they have to rethink expenses, etc. Eventually, the group will have 16 months to complete the build-out for the station. By July, they hope to increase awareness, raise money and eventually build the station. The low powered radio station could reach up to 10 miles, as long as they were within eyesight of the Dowd Junction tower. The frequencies were quite restricted in the mountains, but 107.1 FM has become a reality. This is a great way to promote the town as a central community base. The station will run on sponsor underwriting, with music and announcements. Floyd D. stated that the repeater tower on the Lionshead hillside would provide line-of-sight access to Dowd Junction. Mr. Campbell thanked the board for their ongoing and future support.

SCHEDULED HEARINGS AND ACTION ITEMS

8. Discussion/action of Emergency Items, if necessary.
9. Discussion/action of items pulled from Consent Calendar for discussion.
10. Discussion/action on acceptance of short term goals for the Town Manager by Hawkeye Flaherty

Hawkeye F. stated that the purpose of the list will be to provide guidance for evaluating the town manager. Ann C. stated that she is happy to entertain any other goals. Hawkeye F. stated he would like to add the following:

- Town-wide survey from NWCCOG if it is not price prohibitive
- Comp-time issues
- Depot Clean Up by September

Darell W. stated that although the survey issue came out of the retreat, it may be too cost prohibitive to follow through on.

Tom S. would like to add park maintenance to the list, noting that he understands the situation of the public works department and would like to see a community effort for a clean-up.

Ann C. concurred with the direction on short-term goals as amended.

In terms of long term goals, Tom S. stated he would like to see an improved park for children and amphitheater for the long-term goals. Ann C. stated that she has worked with the Visioning Committee on this idea and will continue to do so.

Darell W. stated again that the town does not have money to complete this job and that it cannot rely on volunteers, as there are not many volunteers.

Ann C. stated that she does not have any issues with this park project.
Hawkeye F. stated that he agrees with the budget situation, but feels that if the town does have money to complete the project, it should.

Floyd D. asked whether the council would be asking the town manager to examine the streets. Hawkeye F. stated that at budget time, the streets will be addressed.

11. Reading/action on Resolution 5 – Series 2004 Designating June as Colorado Bike Month and June 23 as National Bike to Work Day by Hawkeye Flaherty

Hawkeye F. read the resolution.

Fred H. asked whether staff can write a letter to CDOT to sweep and look at patching the shoulder for bicyclists. Ann C. stated staff would take care of it.

Motion by Fred H., second by Jerry B., to approve Resolution 5 – Series 2004 Designating June as Colorado Bike Month and June 23 as National Bike to Work Day, correcting the date to June 16; all voted in favor. *Note: Bill B. and George B. were absent.*

DISCUSSION CALENDAR

12. Minturn Independence Day Sign Up by Event Coordinator

Nicole M. summarized the schedule of events for Friday, July 2, 2004, noting that the police department has hand delivered invitations to all residents of Minturn. The marketing plan includes a four-page multiple municipality insert in the Vail Daily and daily radio ads on KZYR, The Zephyr. She asked that the council sign up for volunteer duties on that night.

13. Minturn Market – Update, by Event Coordinator

Nicole M. explained that the Minturn Market will begin this Saturday, June 19, 2004. She thanked Darell W., Hawkeye F., Tom S., Ann C., and Jay B for signing up to volunteer this week. She also gave kudos to police Chief Lorenzo M. for his ongoing support and conscious efforts with the market.

14. River Restoration – Update of Current Activities, By Ann K. Capela

Ann C. noted that the town has received many calls on the second phase of the project. Hawkeye F. stated that or questions, citizens can also contact the town offices.

OTHER ITEMS/STAFF REPORTS

15. Reports/Correspondence/Announcements of Staff

a. Events/Admin.

Nicole M. stated that she would like the council members to submit their bio information for the website. The website launch is currently on schedule.

Centennial Merchandise is available for sale at the town offices and at the Minturn Market.

b. Public Works

The Public works department issued the Community Confidential Reports on water quality today.

c. Police

Hawkeye F. stated that the chief is looking for traffic volunteers for the Minturn Market. He thanked the Colorado State Patrol for escorting the parade and Animal Control for doing walk-through inspections at the Minturn Market.

d. Treasurer/Clerk

Jay B. stated that sales tax is currently up 8 percent from 2003.

e. Town Planner

f. Town Attorney

g. Town Manger

Ann C. stated that she sent the letter inviting proposal for RV Park. However, she has not heard anything in return. Allen C. stated that he has received a response and has just passed it to the town manager. The staff is currently keeping a log of KOA calls.

Floyd D. reported that sidewalk lights are ready; they are waiting on Bishop Electricity to extend the lines to each of the lights. Xcel Energy has replaced most of the overhead lights and lamps throughout town.

16. Executive Session – Conferring with legal counsel for the purpose of receiving legal advice on pending litigation- Colorado Revised Statute 24-6-402 (4) (b).

Motion by Darell W., second by Tom S., for the purpose of Conferring with legal counsel for the purpose of receiving legal advice on pending litigation pursuant to Colorado Revised Statute 24-6-402 (4) (b). Those present should include the Town Attorney and Town Manager; all voted in favor.

No action was taken

17. Set next meeting date – July 7, 2004

18. Adjournment

As there was no further discussion, the meeting was adjourned.

Mayor, Hawkeye Flaherty

ATTEST

Town Clerk, Jay Brunvand