



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

Wednesday August 6, 2008
Work Session – 5:30PM
Regular Session – 7:00PM

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

Interim Town Administrator – Gary Suiter
TOWN CLERK/TREAS - Jay Brunvand

COUNCIL MEMBERS:

Shelley Bellm
Lorraine Haslee
Jerry Bumgarner
Aggie Martinez
Matt Scherr

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 – 4:30pm, Monday through Friday, by contacting the Town Clerk at 970/824-5645 302 Pine St. Minturn, CO 81645

Work Session – 5:30pm

- Housing Guidelines – Suiter
- Affordable Housing at 243 Boulder (Not-a-Park) – Flaherty
- Resolution 41 – Series 2008 a Resolution regarding Council Procedures – Christensen

Regular Session – 7:00 PM

1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

Mayor Hawkeye Flaherty called the meeting to order at 7:10pm. Those present included Mayor Hawkeye Flaherty, Matt Scherr, Shelley Bellm, Aggie Martinez, Jerry Bumgarner, and Lorraine Haslee (*Note: Mayor Pro Tem George Brodin was absent excused*)

Staff present was Interim Town Administrator Gary Suiter, Town Treasurer/Clerk Jay Brunvand, Planner Chris Cerimele, and Town Attorney Allen Christensen.

STANDING ITEMS

2. Approval of Agenda (5 min).

- a. Items to be Pulled or Added
- b. Order of the Agenda Items

Motion by Shelley B., second by Jerry B., to approve the agenda as amended/presented; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

3. Approval of Minutes and Action Report (5 Min).

- July 15, 2008 – Special Council Meeting
- July 16, 2008 – Regular Council Meeting
- Action Item Memo

Motion by Aggie M., second by Shelley B., to approve the minutes of the July 15, 2008 Special Council Meeting as amended; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

Amendments to July 16 2008 Minutes:

- Pg 8 Resolution 48-2008 in honor of former Councilmember clean up
- Item Ordinance 15-2008; motion was to table not approve and clean up
- Top of page 13 of packet consensus has bee”n” not ‘bee’
- Pg 12 last sentence typo Clean up

Motion by Jerry B., second by Lorraine H., to approve the minutes of the July 16, 2008 Council Meeting as amended; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

Action Item Memo:

- Jerry B. asked about the Meek Ave drainage; Gary S. stated this item has come back to staff for further consideration. Our Town Engineers will review the issues and needs of this project to ensure the proposal will correct the drainage problem. Additionally, the adjacent resident has requested the town not to proceed at this time based on similar concerns.
- Hawkeye asked for Council volunteers to attend the school board meeting with Gary S. on Aug 13; Shelley B.
- Hawkeye noted the Town has scheduled a second Town Cleanup day for September 13 and more information will be forthcoming.
- Lorraine H. recommended Mr. Mike Martinez, Minturn resident and former Minturn MS teacher, to be the town at large representative on the Scholarship Committee. Gary S. noted we need to name a representative from Ginn. Jerry B. stated he would like to add an at large, non-voting, free consultant member his recommendation is Dr. Alice Phillips.

- Hawk announced to the public that anyone interested in serving on the Recreation Committee or the Scholarship Committee to please step up and submit your name.

4. Liquor License Authority (5min)

- The Shop N Hop #12 annual renewal of a 3.2 Beer License located at 401 Main St, Minturn CO; Terry Marcum Partner/Owner

Hawkeye introduced the agenda item and referred the issue. Jay B. stated this is an annual renewal and staff has no issues. Additionally, a report from the Chief of Police is in the packet. Staff is recommending approval. Present as representative of Shop N Hop #12 was Sharleen Medina.

Motion by Jerry B., second by Shelley B., to approve the Shop N Hop #12 Annual Renewal of a 3.2 Beer License located at 401 Main St, Minturn CO; Terry Marcum Partner/Owner as presented; all voted in favor. (*Note: Mayor Pro Tem George Brodin was absent excused*)

5. Special Presentation/Individual Introductions/Citizen Recognition/Project Update

6. Public comments on items, which are NOT on the agenda (3 minute time limit per person).

7. Discussion/Action – Emergency Items, if necessary

8. Discussion Item – Town Administrator’s Report (10 Min)

- The Summer Market is going well; we have created a method for vendors to appeal decisions in an effort to smooth over some recent concerns. The bike races that have passed through Town this summer have had lots of potential for conflict but all has gone smooth.
- Continue to meet with Ginn regarding the upcoming submittals. The bridge funding agreement is undergoing final legal review and a copy will be forwarded to the Town Council
- Red Cliff would like to meet with Minturn on either August 13 or August 20. Council direction was for August 20. (The Council Work Session for August 20 was not to start earlier than 4pm)
- Gary noted the Saturday September 13 clean up day will be a duplicate of the spring clean up and we are looking for sponsorship. A BBQ lunch will be provided. Staff is continuing to work with citizens on property clean up. Car salvage will be free to citizens
- Thanked citizens that have made the effort to work with the town on cleaning up their property.
- Shelley B. noted the Minturn Community Fund is working on a tax donation for vehicles. The Community Fund website is www.minturncommunityfund.com
- Public Work’s has completed removing the junk on Grant St (Taylor Addition) except for one trailer which is too large to be moved by our equipment. Neighbors have had positive comments.

- Nighttime I-70 work is continuing the work should be completed by October. The Hwy 6 tieback is moving forward as well.
- 6 architect firms have been mailed an RFQ for the Recreation Center based on the list developed. Hawkeye asked for the time line on the GOCO grant cycle. If possible we could apply for a grant on this project as well.
- The town will be looking for a new dump truck to replace the International which is doubtful will make it to the winter let alone through the winter; Hawkeye recommended that we also look at a snow hauling company rather than buy if that is the only use for the truck. This might be a better use of the money than to have the truck sitting for 6 months per year.

9. Discussion Item – Town Council Comments (10 Min)

Hawkeye stated the Summer Market parking and traffic control is working very well. Shelley B. noted the ECO bus travels a little fast; Gary S. will look in to that.

Hawk noted the “slowdown for Children” signs need to be repaired or replaced as they are in significant disrepair. Replacements are expensive but of good quality.

Hawkeye will not be at the next meeting (August 20)

Matt S. disclosed to the Council and handed out a formal disclosure of receipt of funds in early 2007 from the Ginn Co. for the Eagle Valley Alliance, the nonprofit organization that he works for.

Shelley B. noted the Safe Routes to School federal grant for 2010 is preparing to convene. This is an organization that works on locating and funding safe routes to school for children on bikes and pedestrians. This program is state wide but funds are allocated for rural areas. Municipalities can not apply but they can support school applications

Hawkeye noted the performance of the Missoula Children’s Theater production of Jack and the Beanstalk presented by the Minturn Community Fund. Two performances will be held on Saturday, August 9 at the Little Beach Park Amphitheater at 1:30 and 3:00.

Hawkeye announced the Eagle River Water Shed Council is hosting an Eagle/Gore River cleanup and looking for volunteers. The cleanup is scheduled for Saturday, September 13th.

DISCUSSION, HEARINGS AND ACTION ITEMS

10. Discussion/Action Item – Resolution 41 – Series 2008 a Resolution regarding Council Procedures – Christensen (30min)

This item was discussed during the Work Session and consensus was to schedule further discussion of this Resolution at the August 20th Work Session.

Motion by Shelley B., second by Aggie M., to Table to the August 20 Work Session and Agenda Resolution 41 – Series 2008 a resolution regarding Council Procedures as presented; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

11. Discussion/Action Item – Ordinance 15 – Series 2008 (Second Reading) a Public Hearing and Ordinance Re-Codifying the Minturn Municipal Code – Suiter/Christensen (30min)

Lorraine H. asked about Section 7-4-20(b) concerned that this would not be sufficient notice; Allen C. state the entire section is being removed.

Hawkeye stated he felt the \$1000 and not to exceed 1yr in jail is a little extreme; Allen C. stated this has been in effect for years, to change this would be tying the hands of the judge and previous Councils had no issues.

Hawkeye stated that leaving chapter 16-1-50 should not be left to the interpretation of the Planning Department and should be changed from interpret to administer. Discussion ensued on this and direction was to have staff interpret the code as adopted by the Town Council.

Hawkeye noted we have no housing tables those will be added, and the character area maps need to be in color.

Hawkeye opened the Public Hearing and continued the Public Hearing

Motion by Shelley B., second by Hawkeye, to table Ordinance 15 – Series 2008 (second reading) an Ordinance Re-Codifying the Minturn Municipal Code until the August 20, 2008 Council meeting as presented; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

Gary S. noted the disks of the latest version of the codification are at their seats.

12. Discussion/Action Item – Resolution 51 – Series 2008 a Resolution calling a Mail Ballot Special Election set for November 4, 2008 and setting ballot questions as relates to the Minturn General Improvement District – Suiter/Dougherty

Hawkeye introduced the agenda item. Gary S. introduced Ms. Mary Jo Dougherty of McGeady Sisneros P.C. Ms. Dougherty detailed each of the thirteen proposed ballot questions, what each question was actually asking, and how much tax revenue would be generated from the mill levy assessed on the annexed Ginn property only. Ms. Dougherty. noted each questions is a TABOR issue. This election will be set for November 4th and will be a Mail Ballot Election. Hawkeye stated only three people will be voting on this election as only the Ginn property is included in the GID and only the residents of the Ginn property owners would be assessed by passage of

these ballot questions in the election so therefore only those noted as residents of the land or of the Ginn Co can vote on these questions.

Motion by Shelley B., second by Jerry B., to approve Resolution 51 – Series 2008 a Resolution calling a Mail Ballot Special Election set for November 4, 2008 and setting ballot questions as relates to the Minturn General Improvement District as presented; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

13. Discussion/Action Item – Resolution 52 – Series 2008 a Resolution to approve Jacobs Engineering (previously Carter Burgess) future Work Orders – Suiter/Singer

Gary S. detailed the issues of the proposed Resolution. Gary S. noted the previous agreement was not very well written and a new agreement has been drafted. The current agreement with Jacobs Carter Burgess provides for developing and approving Work Orders that specify the project, scope of work, and not-to-exceed amounts.

Gary noted Rob Singer was present from Jacobs Carter Burgess if questions. Hawkeye asked how the change orders on the work orders would be handled; Mr. Singer detailed the number scheme for the Council. Each work order and each change request on that work order would be carried together so that it is simple to be tracked.

Motion by Jerry B., second by Matt S., to approve Resolution 52 – Series 2008 a Resolution to approve Jacobs Engineering (previously Carter Burgess) future Work Orders as presented; all voted in favor. *(Note: Mayor Pro Tem George Brodin was absent excused)*

FUTURE AGENDA ITEMS

14. Items to be added to future agendas / work session

- NWCOG and QQ annual update – Work Session – Suiter/Severson – 8/20/08
- Red cliff joint work session on 8/20 at 4pm
- Police Dept Presentation – Martinez – 8/20/08 (15min Work Session).
- Resolution 41-2008 – 8/20/08
- Ordinance 15-2008 – 8/20/08
- Housing guidelines – 9/3/08
- Records Management discussion – Work Session – 9/3/08
- Snow Removal and Snow Dump Policy – Work Session – 9/3/08
- Chapter 16 Work Session – 9/17/08

15. Set Future Meeting Dates

- a) Council Meetings
 - August 19 – Ginn Work Session/exec session

- August 20
- September 3
- September 17

b) Planning & Zoning Commission Meetings

- August 13
- August 27
- September 10

c) Other

- Eagle County School District Board of Education – 8/13/08
- Town Clean-Up Day – 9/13/08
- Red Cliff/Minturn Joint Board meeting – 8/20/08

16. Adjournment

Motion by Shelley B., Second by Jerry B., to adjourn at 8:30pm; all voted in favor. (*Note: Mayor Pro Tem George Brodin was absent excused*)

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand