



## **Official Minutes**

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

**Wednesday March 2, 2011**

**Regular Session – 6:00pm**

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

**TOWN MANAGER – Jim White**  
**TOWN CLERK/TREAS – Jay Brunvand**

### **COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
Jerry Bumgarner  
Aggie Martinez  
John Rosenfeld

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 970/824-5645 302 Pine St. Minturn, CO 81645

### **Work Session – 6:00pm**

- Maloit Park Annexation discussion – Cerimele (30min)
- Develop Agenda for April 6<sup>th</sup> Council Meeting with County Commissioners – White (15 min)
  - Eco Transit-how have things gone so far this year, numbers wise? Discuss sustainable ridership
  - Comprehensive economic planning
  - Land Swap
  - Medical Marijuana
  - Coordinated county-wide calendar
  - Attainable housing, housing assistance programs
  - Paving of County Road & 2<sup>nd</sup> phase of Eco Trail
  - Thank the Commissioners for the \$500 donation to the 4<sup>th</sup> of July Celebration

## Regular Session – 7:00pm

### 1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

The meeting was called to order by Mayor Flaherty at 7:04 pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members Shelley Bellm, Jerry Bumgarner, John Rosenfeld, Aggie Martinez, and Earle Bidez.

Staff present: Town Manager Jim White, Town Treasurer/Clerk Jay Brunvand, Chief of Police Lorenzo Martinez, Administrative Assistant/Deputy Clerk Michelle Metteer, Town Planner Chris Cerimele and Attorney Allen Christensen.

### 2. Approval of Agenda

- a. Items to be Pulled or Added

Request to switch action /discussion items 9 & 10

Motion by John R., second by Shelley B., to approve the agenda of March 3, 2011 as amended, all voted in favor.

### 3. Approval of Minutes and Action Report

- February 16, 2011
- Action Item Report

Motion by Aggie M., second by George B., to approve the minutes of February 16, 2011 as presented, all voted in favor.

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

### 5. Special Presentations/Citizen Recognition

- Eagle County Economic Development Planning – Chris Romer (30min)

Chris Romer, Executive Director Vail Valley Partnership, 101 Faucet Rd, Avon  
Don Cohen, Economic Director, Eagle County, 25 Mill Loft St, Edwards

Feedback from Vail meeting:

Tourism infrastructure

Eagle County Airport

Strong Public Education System

Transit (within Eagle County and I70 corridor)

Business recruitment to the state of Colorado

Diversify the Economy, including health and wellness

Private sector growth, local, county and state-wide  
Elimination of private personal property tax for business  
Education choice for residents  
Promotion, on all levels  
Organized and planned tourism (minimal lines)  
Bike path  
Attainable housing options  
Recreational Facility

Minturn - Resort to Real Living

March 31<sup>st</sup> 5-7 Eagle County Building

Michael Cacciopo, The Business Brief, suggested lower taxes and less regulatory fees

## **6. Planning Commission Update**

There were no action items on the February 23, 2011 Planning Commission meeting agenda but the following topics were discussed:

- Design Review Application Requirements and Hearing Procedures
- Lot Coverage Definition
- Open Space Requirements

The Planning Commission and staff have been discussing a series of code amendments at recent meetings with the intention of improving and clarifying certain elements of the code. A new code section is being proposed that will formally codify the submittal requirements for Design Review applications and establish clear findings of fact that must be met prior to an application receiving approval.

Additionally, the Planning Commission is considering revising the lot coverage definition to include second and third level floor areas that overhang the ground level. This cantilevered space would be included in the total lot coverage calculation and count towards the maximum allowed area of a lot this is permitted to be built upon. Finally, staff presented a memo outlining open space requirements for subdivisions in other jurisdiction throughout Colorado. The Planning Commission is interested in adopting quantifiable open space requirements for subdivisions and Planned Unit Developments (PUD) in Minturn. While the land use code recommends that a developer provide 25% of the total area of a PUD for open space, they are not required to do so. It was suggested that the PUD guidelines be revised so that a developer is required to provide 10% of the total land area for recreation and open space. It was also suggested that the subdivision regulations be revised to include a provision requiring 10% open space. A fee-in-lieu payment for open space was also discussed and staff will research how other jurisdictions derive their fee-in-lieu payment formulas. The Commission want to create a mechanism that would allow the developer of smaller properties the opportunity to pay the Town a fee for the required open space.

Request by Council for Builder's to submit a list of design deviations from originally approved prints for approval at the staff level.

## **7. Town Manager's Report**

### **Eagle County/State Land Board/USFS**

#### **Consider Land Swaps**

We are following up with Dave Neeley, District Ranger, USFS to complete a letter of intent to confirm our interest in participation in these negotiations.

#### **School District RFP Submittals**

A decision on future uses of the school is expected in March. The School Board has pushed the date for the formal review to the March 9, 2011 School Board meeting.

#### **Eagle County Economic Development Plan**

Eagle County is supporting efforts among all jurisdictions and unincorporated areas to engage in creation of a county wide economic development plan in response to the request from Governor Hickenlooper. Chris Romer, Vail Valley Partnership and Don Cohen, Eagle County Economic Development Coordinator, are leading the efforts. I have arranged for them to come to tonight's Town Council meeting to highlight the proposed approach and to get input from the Minturn Town Council, staff, and any others present at the meeting. A county wide meeting will be held on March 31, 2011.

#### **Signage**

Design criteria have been sent has been sent to several individuals and companies that may be engaged to help with the actual construction of the Town signage. Staff is also continuing to work with the USFS on written justification needed to complete the Special Use Permit for our welcome signs.

#### **Battle Mountain Update**

Dave Kleinkopf and his representatives will be meeting with CDPHE and the EPA on March 15, 2011 to clarify the recent remarks in anticipation of future planning.

#### **Colorado City and County Managers Association**

I was elected by my peers as "President-Elect" of the Colorado City and County Manager's Association (CCCMA) at the annual meeting February 24-26, 2011 in Glenwood Springs. Subsequently, I am slated to become President at next year's annual conference in February 2012.

#### **Holy Cross Franchise Agreement Extension**

The Town of Minturn and Holy Cross representatives met on February 9, 2011 to begin review of the existing Franchise Agreement. Our current temporary extension terminates on March 4, 2011. In the next month or so, I will be providing Town Council members copies of the proposed Holy Cross Franchise Agreement and a map depicting the coverage area for Holy Cross. Town Council review and comment will be requested.

### **XCEL Utility Under Grounding Funding**

There are several areas of Town identified by XCEL and Town staff as potential sites for underground utilities. My recommendation is to begin dialog with Town Council in establishing priority areas. We have to start somewhere and the process will obviously take a long time to complete. I would also like to propose a utility fee for all new development in Town which, over time, will help to supplement the monies we receive annually from our XCEL franchise agreement for under grounding utility wires.

### **2011 Summer Events Planning**

Planning for all summer events is underway. This includes the Minturn Market, Music Concerts @ Little Beach Park, Movies at Little Beach Park, Flower Pots, Independence Day Celebration, etc.

## **8. Town Council Comments**

Direction to staff to obtain preliminary estimates for hypothetical fees and the resulting net funding over a specified time period in order to obtain a proper fund for undergrounding utilities.

Minturn Seniors are taking a trip to Nashville Tennessee. Donations for the trip are being taking at the Minturn Town Hall.

John R. named the Minturn Representative for the Economic Development Session taking place March 31, 2011 at 7:00pm at the Eagle County Building. Local business owners are encouraged to attend.

Magustos Restaurant, Downtown Minturn, is expected to be opening in a few weeks.

Maloit Park annexation proposal is accepting comments from community members. First Public Hearing to take place March 16, 2011.

## **PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

### **9. Discussion/Action – Enhancement Transportation funding discussion with Eva Wilson – White (30min)**

Eva Wilson gave a power point presentation covering transportation funding opportunities for the Minturn area.

### **10. Discussion – Land Exchange Discussion: Attainable/Affordable Housing – Cerimele (30 min)**

- Gravel shed at front end of Town?
- Housing at the Compound area

For future agendas:

Direction to Staff to prepare a sidewalk improvement plan to be presented to Council  
Direction to Staff to provide locations for underground utilities  
Direction to Staff to present options for scholarship fundraising opportunities

## FUTURE AGENDA ITEMS

### 11. Next Meeting

- Work Session (30min) & Discussion/Action (30min) – 2009 IBC – Cerimele/Lanci – 3/16/11
- Work Session (15min) & Discussion/Action (15min) – Ordinance \_\_\_\_ - 2011 an Ordinance annexing to the Town of Minturn Maloit Park Parcel No. 1 – Cerimele 3/16/11
- Work Session (15min) & Discussion/Action (15min) – Ordinance \_\_\_\_ - 2011 an Ordinance annexing to the Town of Minturn Maloit Park Parcel No. 2 – Cerimele 3/16/11
- Work Session (15min) & Discussion/Action (15min) – Ordinance \_\_\_\_ - 2011 an Ordinance amending the official zone district map and creating the Maloit Park Character Area – Cerimele 3/16/11
- Discussion/Action – Ordinance \_\_\_\_ - 2011 an Ordinance authorizing the Mayor to sign an annexation agreement – Cerimele (15min) 3/16/11
- Executive Session - Elizabeth Mitchell – Battle Mountain Update (1hr at end of meeting) 3/16/11 16

### 12. Future Meeting

- County Commissioners to attend Minturn Council Meeting – April 6
- Work Session – Medical Marijuana Ordinance – April 6

### 13. Set Future Meeting Dates

#### a) Council Meetings:

- March 16, 2011
- April 6, 2011
- April 20, 2011

#### b) Planning & Zoning Commission Meetings:

- March 9, 2011
- March 23, 2011
- April 13, 2011

#### c) Other Dates:

- May 14, 2011 Town Clean Up Day

**14. Adjournment**

Motion by Jerry, Second by Shelley to adjourn meeting at 9:13pm. All voted in favor.

  
Mayor Hawkeye Flaherty

ATTEST:

\_\_\_\_\_  
Town Clerk, Jay Brunvand

