



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday February 6, 2013

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

**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 970/827-5645 302 Pine St. Minturn, CO 81645

Work Session – 5:30pm

- Discussion regarding a Minturn Scholarship update with 1st and Main Financial Advisors – White (30min)
- Farewell to Police Chief Lorenzo Martinez

Regular Session – 6:30 pm

- 1. Call to Order**
 - a. Roll Call
 - b. Pledge of Allegiance

The meeting was called to order by Mayor Hawkeye Flaherty at 6:33 pm.

Those present included: Mayor Hawkeye Flaherty, Town Council members George Brodin, Earle Bidez, Shelley Bellm, Aggie Martinez, and Jerry Bumgarner (Note: John Rosenfeld was excused absent.)

Staff present: Town Manager Jim White, Town Attorney Allen Christensen, Town Planner Chris Cerimele, Deputy Clerk Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand.

2. Approval of Agenda

a. Items to be Pulled or Added

Motion by Jerry B., second by George B, to approve the agenda as amended. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

Add: 6a. Discussion of severance pay for the Police Chief.

3. Approval of Minutes and Action Report

- January 16, 2012
- Action Item Report

Motion by Shelley B., second by Aggie M., to approve the Minutes of January 16, 2013 as presented. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

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

5. Special Presentations

- Eagle River Water and Sanitation District overview of Waste Water Master Plan – White (30 min)

Ms. Diane Johnson, ERSWD, introduced the *Headwaters Magazine*, a publication of the Colorado Foundation for Water Education.

Ms. Siri Roman, ERWSD, gave a presentation to the Council on the Wastewater Master Plan Update.

- Little Beach Park Improvements Master Plan and GOCO grant application update by Zehren & Associates – Cerimele (20 min)

Mr. Pedro Campos, Zehren & Associates, provided an update for the Master Plan to Little Beach Park, Phase Two upgrades.

Recommendation for Little Beach Park Subcommittee to meet with staff before the next Council meeting to review project costs.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

- 6. Discussion/Action Item:** Ordinance 1 – Series 2013; (Second Reading) An Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and reenacting Section 16-16-30 as it pertains to minimum off-street parking requirements for health and athletic clubs, aerobics, recreational, amusement and entertainment facilities within the Town of Minturn. – Cerimele (10 min)

Motion by Shelley B, second by Jerry B, to approve Ordinance 1 – Series 2013; (Second Reading) An Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and reenacting Section 16-16-30 as it pertains to minimum off-street parking requirements for health and athletic clubs, aerobics, recreational, amusement and entertainment facilities within the Town of Minturn. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

6a. Discussion of severance pay for the Police Chief.

Request from Council to see the costs pertaining to a 3 month and a 6 month severance option at the next Council meeting work session.

GENERAL IMPROVEMENT DISTRICT

7. Administrative Matters

- GID Roll Call
- Approval of Agenda
- Review and approve minutes from the November 7, 2012 GID Board Meeting.

Motion by George B., second by Shelley B., to approve the agenda as presented. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

Motion by Jerry B, second by Aggie M, to approve the minutes as presented. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

8. Financial Matters

- Discussion/Action – Consider adoption of Resolution No. 2013-02-01 an application for Exemption from Audit – Brunvand (5min)

Motion by Shelley B, second by George B to approve Resolution No. 2013-02-01 an application for Exemption from Audit. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

9. Legal Matters

10. Other Business

- Discuss and set meeting dates for 2013:

- Board Meeting to consider GID budget approval set for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645.

Motion by Shelley B, second by Earle B, to set the next GID Board meeting for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645. (Note: John Rosenfeld was excused absent.)

11. Adjournment (as GID and reconvene as Town Council)

Motion by Shelley B, second by Aggie M, to adjourn as the GID Board. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

OTHER MATTERS

12. Planning Department Update

13. Town Manager's Report

Lorenzo Martinez Resignation

Chief Lorenzo Martinez resigned his position effective February 15, 2013. He has been with the Town of Minturn for 27 years. He was first a police officer, then Sergeant, and finally as Chief of Police. We are grateful for his long service to the Town. We extend our best wishes to him and his family in their future pursuits.

Human Performance Center/Fitness Center at Maloit Park

The subcommittee will be meeting again soon to continue discussions now moving toward planning and future construction of Phase 1 of the Human Performance Center/Fitness Center facility. A May 1, 2013 groundbreaking has been targeted. Plans to review the design at the Planning Commission have been outlined and a timeline created. We continue to use the professional guidance of our consultants, Ken Ballard, of Ballard and King, and Craig Bouck of Barker, Rinker, Seacat for financial and design elements respectively.

Bone Yard Property

We continue to work in conjunction with the Eagle County staff and County Commissioners in an effort to secure the purchase of the Bone Yard property in Minturn. We will discuss our negotiation strategy in Executive Session.

Little Beach Park Improvements Planned

The Town has secured the services of Zehren and Associates to lead the design phase of improvements for Little Beach Park. Pedro Campos of Zehren and Associates will be present at tonight's meeting to update the progress on proposed park improvements. He will discuss next steps in the process and continue to secure community input for the project. We will be submitting a GOCO grant by March 6, 2013.

CCCMA

The Colorado City and County Managers' meeting will be held in Glenwood Springs from Thursday February 14, 2013 through Saturday February 16, 2013 in Glenwood Springs, CO. I will be completing my full year as president of the organization and will become immediate past president for the upcoming year.

Scholarship Committee

Our scholarship committee is working to formally complete the documents and register with the State of Colorado as the Minturn Education Foundation as a formal 501 (c) entity. Investment options will then be pursued by 1st and Main Advisors, on behalf of the Town. Town Council has also discussed a smaller scholarship fund (\$25,000) to be considered with Colorado Mountain College here in Eagle County. We have secured the services of Kelly Lyle, CPA, to assist with the financial aspects of our preparation and planning. The committee will meet on the afternoon of February 1, 2013.

Marijuana Businesses

In light of the recent passage of Amendment 64 by Colorado voters, the Town staff will be bringing a draft Ordinance forward for Town Council consideration related to marijuana businesses in the Town of Minturn. The Colorado State Legislature will be addressing this issue in the upcoming months during the legislative session.

Upcoming Events:

Ski Joring will take place in Minturn on Saturday, February 23, 2013 and Sunday, February 24, 2013.

Questions were asked regarding the approval of plans for the Human Performance Center. Intentions are to have a building inspector in place before approvals of this project are necessary. An RFP will go out for construction of the project.

Direction to staff to prepare an Ordinance placing a moratorium on the recreational use of marijuana, and/or establishment of marijuana clubs in Minturn for review at the next Town Council meeting.

14. Town Council Comments

- CML "If I Were Mayor" Essay Contest – Flaherty (10min)

Hawkeye and Jim W. outlined this program. Details have been distributed to the local Eagle County schools.

George B. stated the Water Subcommittee had met to discuss expenses for water, and look at comparisons of other communities. A water rate study will be conducted and results will be provided to the sub committee.

A concern was brought to attention addressing the water leak in the Post Office ceiling due to ice dams on the roof. It is anticipated a portion of the roof will require repair in the spring.

Pink Vail, which is a fundraiser for the Shaw Regional Cancer Center will be taking place on March 9, 2012. www.pinkvail.com is available for more information and for making donations.

EXECUTIVE SESSION

- 15. Executive Session – To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land and 64 Harrison Ave and pursuant to CRS 24-6-402(4)(b) for the purpose of an update from the Town’s Attorneys regarding the Eagle Mine and the EPA and pursuant to 24-6-402(4)(e) to receive negotiation instructions as to interim police coverage – Christensen/White**

Motion by George B, second by Shelley B, to convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land and 64 Harrison Ave and pursuant to CRS 24-6-402(4)(b) for the purpose of an update from the Town’s Attorneys regarding the Eagle Mine and the EPA and pursuant to 24-6-402(4)(e) to receive negotiation instructions as to interim police coverage. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

- 16. Executive Session – Action by Council or direction to Staff as a result of the Executive Session – White (5min) Executive Session ended at 9:17pm. Direction was given to continue negotiations regarding the potential acquisition of 64 Harrison property; provide the full contribution from the Town toward the purchase of the Minturn Bone Yard property from the USFS; follow political strategies in work with the EPA; Town Manager to arrange temporary police coverage and a pursue hiring of a new police chief.**

FUTURE AGENDA ITEMS

17. Next Meeting – 6:30 p.m. February 20, 2013

- Magustos LLC Annual Renewal of a Hotel & Restaurant License; 101 Main St; Eric Cregon, Owner/Manager – Brunvand (10min)
- Marijuana Ordinance/First Reading
- Review Little Beach Park cost estimates Work Session - Scholarship Fund funds transfer review, including CMC donation.
(check with consulting attorney)

18. Future Meeting

- Discussion/Action: Kayak course discussion and direction – White (20min) Date to be determined

19. Set Future Meeting Dates

- a) Council Meetings:
- February 20, 2013

- March 6, 2013
- March 20, 2013

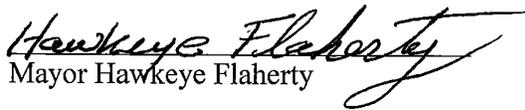
b) Planning & Zoning Commission Meetings:

- February 13, 2013
- March 13, 2013
- April 10, 2013

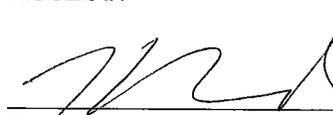
20. Other Dates:

21. Adjournment

Motion by Jerry B., second by Shelly B., to adjourn the meeting at 9:19pm.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

