



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday February 20, 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 of Ordinance 2 – Series 2013; (First Reading) An Ordinance temporarily banning the sale of marijuana and/or marijuana clubs as outlined in Colorado State Amendment 64 – White/Christensen (30min)
- Discussion regarding a Minturn Scholarship update with 1st and Main Financial Advisors – and CMC Scholarship White (30min)

Direction to staff to prepare information regarding scholarship monies specifically for Colorado Mountain College in addition to the general scholarship fund.

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 6:31 pm.

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

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

Add agenda item 7a. for Scholarship funding.

Motion by Jerry B., second by George B., to approve the agenda as amended. Motion passed (7-0)

3. Approval of Minutes and Action Report

- February 6, 2013

Motion by George B., second by Aggie M., to approve the Minutes of February 6, 2013 as presented. Motion passed (7-0)

- Action Item Report

March 6th (or March 20th) meeting to include update on the storm drainage survey.

4. Liquor License Authority

- Magustos LLC Annual Renewal of a Hotel & Restaurant License; 101 Main St.; Eric Cregon, Owner/Manager – Brunvand (10min)

Mr. Eric Creagon, Magusto's 101 Main St, addressed concerns expressed regarding maintaining a secured liquor premises when patrons step out to smoke and during the summer when the outdoor seating areas are in use.

Motion by John R., second by Shelley B., to approve the Magustos LLC Annual Renewal of a Hotel & Restaurant License; 101 Main St. Motion approved (7-0)

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

6. Special Presentations

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

Mr. Pedro Campos, Zehren and Associates, 48 E Beaver Creek Blvd, Avon, provided an update and review of costs pertaining to Little Beach Park improvements. A handout detailing the cost analysis breakout was provided to Council and staff. Potential bathroom and building costs will be available within the next month. The next GOCO grant cycle is in August 2013.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

7. **Discussion/Action Item:** Ordinance 2 – Series 2013; An Emergency Ordinance temporarily banning the sale of marijuana and/or marijuana clubs as outlined in Colorado State Amendment 64 – White/Christensen (10 min)

Motion by George B, second by John R, to approve Ordinance 2 – Series 2013; an Emergency Ordinance temporarily banning the sale of marijuana and/or marijuana clubs as outlined in Colorado State Amendment 64. Motion passed (7-0).

7a. **Discussion/Action Item:** Scholarship/Minturn Education Fund

Motion by Jerry B, second by George B, to authorize two (2) checks in the amount of \$150,000 each to fund the agreed annuities of the 501(c)(3) Scholarship Education Fund. Motion passed (7-0).

8. **Discussion/Action Item:** Proclamation Series 2013; A Proclamation in support of the Vail Public Library's program of One Book One Valley – White (10 min)

Mayor Hawkeye Flaherty read the proclamation for the record.

Ms. Lori Anne Barnes, Vail Public Library, presented the One Book One Valley initiative. The book chosen this year is *Into the Beautiful North*.

OTHER MATTERS

9. Planning Department Update

A recommendation was given by Council to staff to review battery and solar power options for streetlights. Also consider empty conduit for future use options. Another recommendation was made to consider sidewalk bulb-outs at all major HWY 24 intersections within Town. Additional concerns described were for illuminated pedestrian signs for increased safety.

In regards to the sidewalks in south Minturn, widening of the shoulder, as an alternate option to installing sidewalks in south town, was suggested as an additional option.

Town Planner's written report:

Downtown Streetscapes

Staff has consulted with three lighting companies to provide fixture examples and prepare cost estimates for the planned streetscape improvement project. Preliminary estimates for the light posts and fixtures are in the range of \$2,500 – 3,500 per pole. Installation costs are estimated to be in the \$2,000 - 3,000 range. A few fixture examples are provided below. These are full cut-off fixtures that are “dark-sky” compliant. Expect to see more examples with detailed cost estimates at the March 6th meeting.

LaFarge has been notified of our intent to implement the streetscape improvements this spring on the 100 Block of Main Street and will partner with the Town on the sidewalk installation.





South Town Sidewalks

TST Engineering is reviewing preliminary sidewalk plans that were prepared by Carter Burgess in 2007. The plans indicate a 6 foot wide sidewalk with attached curb and gutter on the east side of the road that stretches approximately 3,600 linear feet from Cemetery Bridge to the Boneyard property. Cost estimates for the entire length of the project were approximately \$540,000 and include a retaining wall and new storm sewer infrastructure.

Steve Humann at TST indicated that the plans are preliminary in nature but will serve as a solid foundation for future planning. His initial concern is with added steepness to a number of driveways in the area that will result from grading activities associated with sidewalk construction. He stated that a follow up step would be further examination of the plans and a detailed analysis focusing on the driveways in the project area.

10. Town Manager's Report

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. Our revised bid has been accepted and the Town has contributed 10% of the outstanding balance (\$205,000) to GSA. The closing date has been set for March 14, 2013.

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 are working on land issues related to the project. We will be submitting a GOCO grant by March 6, 2013.

CCCMA

The Colorado City and County Managers' meeting was held in Glenwood Springs from Thursday February 14, 2013 through Saturday February 16, 2013 in Glenwood Springs, CO. I completed my full year as president of the organization and am now serving as 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 22, 2013 to consider scholarship awards.

Marijuana Businesses

In light of the recent passage of Amendment 64 by Colorado voters, the Town staff has brought forth a draft Ordinance 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.

11. Town Council Comments

EXECUTIVE SESSION

- 12. Executive Session –To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the property at 64 Harrison Ave and pursuant to CRS 24-6-402(4)(b) for conference with the Town Attorney to receive legal advice on a specific legal question (employee severance pay). – Christensen/White**

Motion by George B, second by John R, to convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the property at 64 Harrison Ave and pursuant to CRS 24-6-402 (4)(b) to conference with the Town attorney for the purpose of receiving legal advice on a specific legal question (employee severance pay). Motion passed 7-0.

- 13. Executive Session – Council direction to Staff as a result of the Executive Session – White (5min)**

Following executive session, staff was given direction to continue negotiations related to the 64 Harrison property and to prepare a Resolution to ratify a severance and resignation agreement.

FUTURE AGENDA ITEMS

14. Next Meeting – March 6, 2013

- CMC Scholarship Fund contribution
- Safe Built Building Department proposal
- IGA with Eagle County regarding Bone Yard property
- Special Presentation / Discussion / Action: Kayak Course (re-scheduled to March 20, 2013 meeting)

15. Future Meeting

- Discussion/Action: Kayak course discussion and direction – White (20min)
- Eagle County Board of County Commissioners (March 20)
- Kelley Collier, ECO Transit

16. Set Future Meeting Dates

- a) Council Meetings:
- March 6, 2013
 - March 20, 2013
 - April 3, 2013

b) Planning & Zoning Commission Meetings:

- March 13, 2013
- April 10, 2013
- May 8, 2013

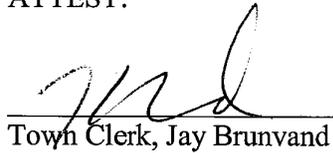
17. Other Dates:

18. Adjournment

Motion by Jerry B., second by George B., to adjourn the meeting at 8:48pm.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

