



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday May 15, 2013

**Work Session – 5:00pm
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 – 5:00pm

- Discussion regarding the Conditional Use permit process for business operations in the UPRR property – Cerimele
 - Work with UPRR to monitor the dumping ground status and make an attempt to keep the yard clean and orderly
 - Continue to use the conditional use permit process to enforce the use of the lots as a business as opposed to a storage lot.
 - Enforce nuisance regulations
 - Planning to establish a set list of allowable uses on the property.
 - Encourage UPRR to develop the property
 - Planning to review the use tables in the Code to determine updating needs.

- Business License Discussion – Review the business license Code to simplify it and make it more enforceable with a consideration on impact, a business license, or a building permit fee (for contractors).
- Discussion regarding the addition of some parking along the 100 Block of Eagle Street – Cerimele
 - Proceed without the inclusion of parking by a straw poll of 3-2

Regular Session – 6:30 pm

1. Call to Order

- a. Roll Call

The regular meeting was called to order by Mayor Hawkeye Flaherty at 6:35pm.

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

Staff present: Town Attorney Allen Christensen, Town Planner Chris Cerimele, and Town Treasurer/Town Clerk Jay Brunvand. (Note: Town Manager Jim White was absent/excused)

- b. Pledge of Allegiance

2. Approval of Agenda

- a. Items to be Pulled or Added

- Add Vail Ski and Snowboard Academy to Special Presentations

Motion by Shelley B., second by John R., to approve the agenda as amended. Motion passed (5-0). (Note: George Brodin and Jerry Bumgarner were absent/excused)

3. Approval of Minutes and Action Report

- May 1, 2013

Motion by John R., second by Aggie M., to approve the Minutes of May 1, 2013 as presented. Motion passed (5-0). (Note: George Brodin and Jerry Bumgarner were absent/excused)

- Action Item Report

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

5. Special Presentations

- Vail Ski and Snowboard Academy – 1951 S Hwy 24

Presentation for future consideration of the inclusion of a skateboard park at the VSSA school site at Maloit Park in conjunction with the proposed Recreation Center.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

6. Discussion/Action Item: Ordinance 5 – Series 2013 (Second Reading) An Ordinance to prohibit the retail sale of marijuana within the Town of Minturn – White/Christensen

Chris C. outlined the changes made to the Ordinance from First Reading.

Mr. David Clapp, 392 Taylor St., addressed the Council stating that past citizen votes authorized the Town to allow the sale and use of marijuana. Mr. Clapp asked the Council why they were proceeding with this ban since the voters had clearly spoken.

Earle B. stated that the State is still in the process of establishing the enforcement rules and to have a marijuana business without the regulations in place would create a situation that would not be in the benefit of the Town. Earle B. also stated that the elections Mr. Clapp referred to were for Medical Marijuana.

Hawkeye requested this item be brought before the Council again once the regulations at the state level are established to poll the Council on direction.

Motion by John R., second by Aggie M., to approve Ordinance 5 – Series 2013 (Second Reading) an Ordinance to prohibit the retail sale of marijuana within the Town of Minturn. Motion passed (5-0). (Note: George Brodin and Jerry Bumgarner were absent/excused.)

OTHER MATTERS

7. Planning Department Update

Chris C. outlined his report that was included in the packet.

Council asked for Staff to contact Xcel for answers to why the power has been so fickle recently. Council was concerned with the frequency and the duration of the outages. Chris C. will research and report back to Council.

8. Town Manager's Report (No Report)

9. Town Council Comments

John R. expressed his condolences in the passing of Smokey Matheson.

FUTURE AGENDA ITEMS

10. Next Meeting – June 5, 2013

- Work Session – Discussion regarding the Conditional Use permit process for business operations in the UPRR property – Cerimele
- Work Session – Eagle Street construction
- Begin review of the future funding agreement (after the current 3yr agreement)

11. Future Meeting

- Work Session – Eagle Street construction and parking
- Work Session – Continued work on the Town Council Vision Statement

12. Set Future Meeting Dates

a) Council Meetings:

- June 5, 2013
- June 19, 2013
- July 3, 2013

b) Planning & Zoning Commission Meetings:

- June 12, 2013
- July 10, 2013
- August 7, 2013

13. Other Dates:

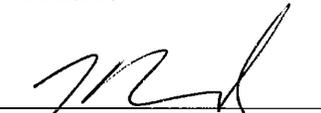
- June 1, 2013 – Town Clean up
- June 8, 2013 – Boneyard Clean up

14. Adjournment

Motion by Shelley B., second by Earle B., to adjourn the meeting at 7:22 p.m.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Bruhvand



David Clapp
392 Taylor Street
Minturn, Co 81645

To Whom it May Concern,

Minturn residents voted against banning Marijuana dispensaries in town on November 2, 2010. Voting 191 to 125 votes, 60% against the ban, 66.5% of Eagle County residents voted in approval of Amendment 64, legalizing marijuana in the state of Colorado.

Why are you, as Minturn town Council, acting against your constituents mandate, impeding citizens ~~at~~ their natural rights of liberty and property?

Enclosed for MINTURN'S



To: Minturn Town Council
From: Chris Cerimele, Town Planner
Date: May 15, 2013
Re: Planning Department Update

Xcel Pipeline Replacement Project

The Town received notification from Xcel Energy that they intend to replace its high pressure gas pipeline through Minturn in the next three years. (see attached letter and map). A preliminary discussion with an Xcel representative indicates that they are exploring the possibility of located a new gas pipeline within the existing rail corridor.

May 22nd Planning Commission Meeting

The next Planning Commission meeting will be held on May 22, 2013. The topics of discussion include the review of the Minturn Recreation Center application and a proposed single family home for the Pine Street area. Additionally, we will discuss the conditional use permit process .



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3135
Facsimile: 303.571.3524

April 15, 2013

BY CERTIFIED MAIL

Chris Cerimele
Town Planner
Town of Minturn
P. O. Box 309
Minturn, CO 81645

Dear Mr. Cerimele:

Each year Public Service Company of Colorado ("Public Service" or the "Company"), an Xcel Energy Company, is required to notify the affected local government of its plans to site a major natural gas facility within the jurisdiction of the local government pursuant to Rule 4706 of the Public Utilities Commission (PUC) 4 CODE OF COLORADO REGULATIONS (CCR) 723-4, PART 4 RULES REGULATING GAS UTILITIES AND PIPELINE OPERATORS.

Public Service has identified one project that may be within your jurisdiction. This project is currently referred to as the Meadow Mountain Valve Set to Vail TOVS Pipeline Replacement. A map is attached identifying the approximated project study areas within which the projects may be located. Consistent with the requirements of § 29-20-108, C.R.S., this letter constitutes notice to you of Public Service's intent to begin the work sometime during the next three calendar years that may lead to the construction of these utility facilities.

Public Service representatives will contact you to discuss its plans in more detail and to determine all applicable permits that may be required prior to beginning construction of these projects. In the meantime, should you have any questions, or require additional information please feel free to contact me at 303-571-3135.

Sincerely,

A handwritten signature in cursive script that reads "Rick Grady".
Rick Grady, SR/WA
Manager

w/att:

Project: Meadow Mountain Valve Set to Vail Take Off Regulator Station Pipeline Replacement

Description: Construct a new pipeline to supply the growth in the following counties: Grand, Summit, Lake, Eagle and Chaffee

Time Line: Permitting – Begins summer of 2014
Construction – Begins summer of 2016
Completion – Fall 2018

Affected: Eagle County, Lake County, Town of Red Cliff, Town of Minturn

