



## Official Minutes

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

**Wednesday December 4, 2013**

**Work Session – 6:00pm**  
**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  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

### **Work Session – 6:00pm**

- Eagle Street Update – White
  - Steve H. will present final update at Dec 18, 2013 meeting
  - Job is done and Staff is reviewing the final bills
- Rec Center update
  - Roof dry in by mid to late January, occupancy in Summer 2014
  - Working with XCEL on utilities and utility locations
  - Budget is firming up to \$1.95 to \$2m plus soft costs (land, water tap)
  - Membership – anyone can be a member but Minturn residents will have a lower rate.
- Marijuana Law- Matt Mire, Interim Town Attorney
  - Will it be legal to consume in public? – In Minturn it will follow state law until such time as Minturn makes a local change.

## Regular Session – 6:30pm

### 1. Call to Order

The meeting was called to order by Mayor Pro Tem George Brodin. at 6:35pm. Note: Mayor Hawkeye Flaherty and Councilman Aggie Martinez were excused absent.

#### a. Roll Call

Those present included: Town Council members, George B., Earle Bidez, John Rosenfeld, Shelley Bellm, Darell, Wegert and Aggie Martinez. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

Staff present: Town Manager Jim White, Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, PW Supervisor Arnold Martinez, and Town Treasurer/Town Clerk Jay Brunvand.

#### b. Pledge of Allegiance

### 2. Approval of Agenda

#### a. Items to be Pulled or Added

Interim Town Attorney Matt M. informed the Council that he had a meeting planned with Vail Associates on December 5, 2013 and therefore had nothing to report. He requested the Executive Session be moved to the December 18, 2013 meeting.

Motion by Shelley B., second Darell W., to approve the Agenda without the Executive Session. Motion passed 5-0. Note: Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

### 3. Approval of Minutes and Action Report

- November 20, 2013

Motion by John R., second by Earle B., to approve the minutes as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

- Action Item Report

Shelley B. requested the Business License item to be added into the existing format, not off the bottom, as it is now.

### 4. Liquor License Authority

- Shop N Hop Annual Renewal of a 3.2 Beer License; 401 Main St.; Terry Marcum, Owner/Manager – Brunvand

Motion by Earle B., second by Darell W., to approve the Shop N Hop Annual Renewal of a 3.2 Beer License; 401 Main St.; Terry Marcum, Owner/Manager as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

- Kirby Cosmo's BBQ Bar Annual Renewal of a Hotel & Restaurant License; 474 Main St.; Mark Tamberino Manager – Brunvand

Motion by Darell W., second by Earle B., to approve the Kirby Cosmo's BBQ Bar Annual Renewal of a Hotel & Restaurant License; 474 Main St.; Mark Tamberino Manager as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

- FM Saloon LTD Annual Renewal of a Hotel & Restaurant License; 146 Main St.; William Campbell Owner/Pres – Brunvand

Motion by Earle B., second by Shelley B., to approve the FM Saloon LTD Annual Renewal of a Hotel & Restaurant License; 146 N. Main St.; William Campbell Owner/Pres as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

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

Arnold M. was present for questions. Discussion ensued on snow plowing and snow stacking within the Town for both residents and commercial operations.

**6. Special Presentations**

- Eagle Scout Project/Luis Aguirre – White

Jim W. introduced Mr. Luis Aguirre. Mr. Aguirre completed some landscaping work in the Eagle River Park that was necessary as a result of the road work on Eagle Street this summer. For this service work, Mr. Aguirre earned his Boy Scout Eagle Badge.

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

**7. Discussion/Action Item: Castle Peak Senior Care Naming Opportunities – White**

Jim W. discussed with Council that with the Town's contribution of \$40,000 to the Care Center, we could have a room named for Minturn. Council discussed the idea of requesting the family dining area or a lounge area. Jim W. will proceed with direction given.

**8. Discussion/Action Item: Ordinance 10 – Series 2013 (Second Reading) An Ordinance Creating a Supplemental Appropriation to the 2013 Town of Minturn Budget – Brunvand**

Motion by John R., second by Darell W., to approve Ordinance 10 – Series 2013 (Second Reading) An Ordinance Creating a Supplemental Appropriation to the 2013 Town of

Minturn Budget as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

**9. Discussion/Action Item: Ordinance 11 – Series 2013 (Second Reading) An Ordinance Setting the 2014 General Property Tax Mill Levy for the Town of Minturn – Brunvand**

Motion by John R., second by Shelley B., to approve Ordinance 11 – Series 2013 (Second Reading) An Ordinance Setting the 2014 General Property Tax Mill Levy for the Town of Minturn as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

**10. Discussion/Action Item: Ordinance 12 – Series 2013 (Second Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2014 for the Town of Minturn – Brunvand**

Motion by John R., second by Darell W., to approve Ordinance 12 – Series 2013 (Second Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2014 for the Town of Minturn as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty was excused absent.

**11. Discussion/Action Item: Ordinance 13 – Series 2013 (Second Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2014 Revenues and Expenses by Fund – Brunvand**

Motion by Shelley B., second by John W., to approve Ordinance 13 – Series 2013 (Second Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2014 Revenues and Expenses by Fund as presented. Motion passed 5-0. Note: Mayor Hawkeye Flaherty and Aggie Martinez were excused absent.

**OTHER MATTERS**

**12. Planning Department Update**

- As per requested: the ordinance for the Town Council on review of projects:

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO.2 - SERIES 2012**

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN MUNICIPAL CODE BY ADOPTING SUBMITTAL REQUIREMENTS AND PUBLIC HEARING PROCEDURES FOR DESIGN REVIEW APPLICATIONS WITHIN THE OWN OF MINTURN.

Section 16-21-615 Design Review Applications

Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:

- No changes to an approved plan or design may be made without the written consent of the Town staff. Staff reserves the right to forward any change to the DRB for final approval;
- Design Review Board approval does not constitute a permit for building.
- DRB approval shall not become valid for 20 days following the date of approval, pursuant to the Minturn Municipal Code Chapter – Appeals
- Approval of this project shall lapse and become void one (1) year following the date of final approval, unless a building permit is issued and construction is commenced and is diligently pursued toward completion. A maximum of one, one-year extension may be granted at the request of an applicant.
  - Projects with Planning Commission:

Barry Clark Garage

Chris Davis Home

Sign Approval: Fire Department, VSSA School, Minturn-Redcliff Business

Grants: Safe Routes to School & Eagle County Colorado Common Grant

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

#### **Celebration of Life**

Along with his family and friends, the Town of Minturn celebrated the life of Allen Christensen, long time attorney for the Town of Minturn, on Wednesday, December 4, 2013 from 2-5pm at the Eagle-Vail Pavilion.

#### **Eagle Street Project**

A final "punch list" walk through took place on Thursday, October 31, 2013 with ELAM, TST, and the Town of Minturn all represented. A final report will be prepared for the December 4, 2013 Town Council meeting that can be attended by Steve Humann, TST Engineering. Final billing is currently under review.

#### **Eagle County Grant Application**

We have submitted a Colorado Common Grant Application to the Eagle County Board of County Commissioner's Community Grant Program by the deadline on Wednesday, November 27, 2013. The goal is to align with social investment, economic vitality, sustainable communities, and environmental stewardship. We requested \$50,000.

### **Fitness Center**

Weekly owner architect construction progress meetings continue to move this project forward. Representatives from Viele Construction, RDK Architects, Ski and Snowboard Club Vail, and the Town of Minturn continue to review progress at this weekly meeting.

The water line has been installed and the building construction is now actively underway.

### **Water Subcommittee**

The Water Subcommittee met again on Tuesday, December 3, 2013 with representatives from the Eagle River Water and Sanitation District to review water usage information, consider the results of our water rate study and to compare the ERWSD sewer rates. Mayor Pro-Tem George Brodin and Town Councilman Aggie Martinez represent the Town Council on this committee. We have requested and received additional information from the ERWSD which we need to continue our work toward other alternatives for water rates to propose to Town Council in the first quarter of 2014.

### **Eagle Scout Project**

I signed off on Luis Aquirre's Eagle Scout Project on November 14, 2013. He completed his Eagle Scout Project by backfilling, raking, and re-seeding the area of Eagle Park disturbed by the Eagle Street Construction project this past summer. Luis will present a brief report on his Eagle Scout project at tonight's Town Council meeting.

### **Upcoming Town Council Meeting Dates**

Wednesday, December 18, 2013 (confirmation requested and received)

Wednesday, January 1, 2014 (consider rescheduling or cancellation)

### **Recent Events/Upcoming Events:**

#### **Minturn Winter Markets**

The Minturn Winter Markets are planned for December 7 and December 14, 2013 from 10am until 2pm.

#### **Christmas Tree Bonfire**

Our Christmas tree Bonfire will be held on Friday night, January 10, 2014 at Little Beach Park. Trees (with lights and ornaments removed) can be delivered to the site, or Town public works' staff will pick up trees at local residences the week prior to the event.

- Mr. Michael Cassioppo noted his appreciation and reverence of Mr. Allen Christensen.

#### **14. Town Council Comments**

George B. and John R. thanked all those who joined us in the Celebration of Allen Christensen's life.

Earle B. noted the fund raiser that the Minturn Community Fund is holding on Dec 12, 2013 for neighbors in need. Ms. Nancy Hasett is coordinating Tickets which may be purchased from any Community Board member or at [www.minturncommunityfund.com](http://www.minturncommunityfund.com)

Shelley B. thanked Janet for her quick response for to her questions from the last meeting. She asked about the progress on removing the construction dumpster on Harrison.

Darell stated that Dec 10, 2013 is Colorado Gives Day.

### EXECUTIVE SESSION

- 15. Executive Session: Pursuant to Section 24-6-402(4)(a)(b)(e) the purpose of discussing the purchase, acquisition, lease transfer or sale of real, personal or other property interests; to receive legal advice on specific legal questions and to determine positions, develop and strategy and instruct negotiators regarding Little Beach Park – White**

No exec session was held. Direction was given to include this in the December 18, 2013 meeting.

### FUTURE AGENDA ITEMS

**16. Next Meeting – December 18, 2013**

- Steve Human, TST, Eagle St Update
- Minturn Fitness Center Update
- Executive Session

**17. Future Meeting**

- Resolution 1 – Series 2013 A Resolution setting the official posting sites for the Town of Minturn – Brunvand (1/15/14)
- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with Xcel Representative – White

**18. Set Future Meeting Dates**

a) Council Meetings:

- December 18, 2013
- January 1, 2014 (consider reschedule or cancellation)
- January 15, 2014

b) Planning & Zoning Commission Meetings:

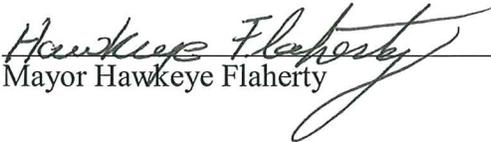
- January 8, 2014
- February 12, 2014
- March 12, 2014

**19. Other Dates:**

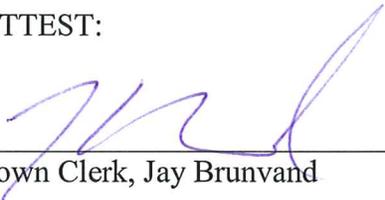
- Winter Markets – December 7 and 14 10am – 2pm

**20. Adjournment**

Motion by Shelley B., second by Earle B., to adjourn the meeting at 7:35pm.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand

