



Official Minutes

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

Wednesday October 15, 2014

Work Session – 5:00pm
Regular Session – 6:30pm

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

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

Please remember to bring your FY2015 Budget Book

- 2014 Budget Review – Brunvand
 - This will be taken up at the November 5 Worksession in order to complete the indepth review.
- Discussion of the Town Manager position and candidate search
 - Council supported Willy’s proposal for the part time Town Manager and for Mike S. to prepare a contract for the Town manager. requested the engineer be present at a Council Meeting to allow Council to question the merits of the engineer position.
- Mass and Scale discussion on Building moratorium – Hawkinson
- Red Sandstone Read-a-Thon – Powell
 - Requested by Council to come back to the November 5th meeting to do it during the regular budget process.

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye Flaherty at 7:42pm.

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, Matt Scherr, John Rosenfeld, Ozzy Osborne, Earle Bidez, and Shelley Bellm.

Staff present: Acting Town Manager Willy Powell, Town Attorney Mike Sawyer, Town Clerk/Treasurer Jay Brunvand, Economic Dev/Deputy Town Clerk Michelle Metteer, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Add Mass and Scale to the 7a

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

3. Liquor Authority

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

Public hearing was held; no comments.

Motion by Shelley B., second by Johnie R., 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 7-0.

- Deutschmann Family LLC dba Kirby Cosmo's BBQ Bar Hotel/Restaurant Annual Renewal; 474 Main St.; Michael Deutschmann, Owner/President – Brunvand

Ozzy O. recused himself as he is an employee of the establishment.

Public hearing was held; no comments.

Motion by Earle B., second by Shelley B., to approve the Deutschmann Family LLC dba Kirby Cosmo's BBQ Bar Hotel/Restaurant Annual Renewal; 474 Main St.; Michael Deutschmann, Owner/President as presented. Motion passed 6-0. Note: Ozzy O. recused himself as he is an employee of the establishment.

4. Approval of Minutes

- October 1, 2014

Motion by Earle B., second by George B., to approve the minutes of October 1, 2014 as presented. Motion passed 6-0. Ozzy O. abstained as he was absent.

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

6. Special Presentations

- Kara Bettis, running for Eagle County Coroner introduced herself.
- Diane Mitsch Bush running for House District 26 introduced herself.
- Chuck McConnell running for House District 26 introduced himself.
- Courtney Holm running for Eagle County Commissioner.

- Annual Market Presentation – Metteer

PUBLIC HEARINGS AND ACTION ITEMS

7. Action Item: Ordinance 08 – Series 2014 (Second Reading) An Ordinance adopting the 2010 Model Traffic Code by reference – Powell/Sawyer

Mike S. outlined the Ordinance and the changes between first and second reading.

- Defined speed limit on Town streets at 15mph unless otherwise posted.
- Defined illegal parking and addresses how those issues are policed
- Addresses the concern of larger delivery vehicles parked on the streets

Ozzy O. noted the 72hr time frame should be defined to allow the person to park in the same place after moving the vehicle. Shelley B. stated this was in the Ordinance to address those that move their vehicle but the vehicle is stored vs. utilized. Ozzy O. stated that he felt Taylor St. needs more than just a blanket law to address its unique circumstances.

Earle B. recommended we start this change with warnings to educate the citizens prior to them being issued tickets.

Discussion ensued as to the length of time a large delivery or truck vehicle could park prior to a violation.

Public Hearing opened, no comments.

Motion by Johnie R., second by Shelley B., to approve Ordinance 08 – Series 2014 (Second Reading) An Ordinance adopting the 2010 Model Traffic Code by reference as presented. Motion passed 7-0.

COUNCIL AND STAFF REPORTS

8. Town Planner

- Mass and Scale discussion on Building moratorium

Discussion ensued on how this would affect lot coverages and how it changes what is currently the law and how that affects the smaller lots in Town. Janet H. will submit applicable pictures of existing lots that have the existing 50, 40, and 30% densities.

Hawkeye asked how this would affect duplexes and how they would fit on the existing lots. He felt the direction to Staff was to review the code and how this affects duplexes. It was noted the two issues are connected in that the density would have the same concern if it were a single family home or a duplex. Hawkeye also felt the height of the project is just as important as the lot coverage.

Discussion ensued as to density, height, parking, and snow storage and how those affect the property.

Willy P. noted for the Council the land use issues summary that was handed out and stated they were looking for feedback from both the Council and the Planning Commission.

- Design Approval for 436 Taylor St – completion of a duplex that was started in 2006

Hawkeye stated the height of the building is too high and needs to be addressed. Mike S. clarified that the natural grade was not the current grade today. Based on the grading plans the average height does allow the structure. Discussion ensued that if you dig out the hillside and build vs build a subterranean basement from the natural grade then the roof line calculation should be affected.

It was noted that the original building plans were approved in 2006 and the code has changed. The definition of building height has changed. Hawkeye noted the intent was to limit heights to 28ft average roof line above the ground on all sides of the building.

Council requested to call this approval up based on MMC 16-2-30 which calls for the average roof line to be not more than 28ft from finished or natural grade whichever is more restrictive and that due to inaction the building permit had expired. Mike S. stated that because this has been approved by the Planning Commission that the applicant either correct the concern or Council call the approval up for re-consideration. Mike S. stated there is ambiguity in the terms Finish Grade, natural Grade, and Existing grade in the code due to different language used in two parts of the code. Therefore Council needs to determine the intent of the Municipal Code.

Motion by Ozzy O., second by George B., to call up the proposed application for a duplex at 436 Taylor St to be set for a meeting the applicant's convenience. Motion passed 7-0.

- Public Works Bridge Repair Report

Bellm Bridge is being repaired in accordance with the report to stabilize the base piers, the decking, and the joints and should be completed by the end of the week

- Zoning Code Moratorium

9. Town Manager

The quilt in the lobby of the Town Hall has been encased and looks very nice.

Willy P. updated the Council on the street work that is being completed at Shop N Hop (401 Main St). Shelley B. stated we should be requiring a bond to ensure the road is repaired and the repair holds. It was noted that this project is more disconcerting because the road was just repaved this past summer.

Hattie Wagy will not be a level one police officer as discussed because of conflicts of interest that might develop as a result of her multiple job duties.

Willy P. has been contacted by Mr. Dave Neeley of the USFS to discuss the Town's desires for density and development of the Forest Service Compound located at approximately 1350 Main St. In addition, the house at the north end of the Town is going to be repainted very soon.

- Action Item Report

10. Town Attorney

Mike S. passed out a preliminary priority list of tasks he is working on. Hawkeye asked that as the list solidifies that Mike S. include estimated costs as well. Hawkeye noted that this line item is over budget for 2014 and we should monitor the costs.

11. Town Council Comments

Matt S. thanked all for the effort to slow traffic during the school bus times it is noticed and appreciated. It was also noted that there is a zero tolerance for people running the school bus lights.

Hawkeye invited everyone to the BMH Homecoming this weekend. He noted the Halloween night in Minturn is October 30th.

FUTURE AGENDA ITEMS

12. Next Meeting – November 5, 2014

- Nov 5, 2014 Work session: Water Committee update
- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand 11/5/13

13. Future Meetings:

- Jan 21, 2015: Work session: consideration of approving retail sales of marijuana – Powell/Sawyer
- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2014 Budget **and** First Reading of Budget Ordinances – Brunvand 11/19/13
- Meeting: Discussion/Action – 2nd and Final Reading of proposed 2014 Budget Ordinances – Brunvand 12/3/13
- 2015 Building Code update – Charlie Davis

14. Set Future Meeting Dates

a) Council Meetings:

- November 5, 2014
- November 19, 2014
- December 3, 2014

b) Planning & Zoning Commission Meetings:

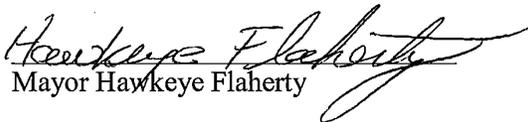
- October 8, 2014
- November 12, 2014
- December 10, 2014

15. Other Dates:

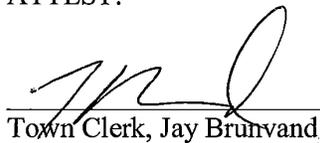
- Minturn Halloween – October 30, 2014

16. Adjournment

Motion by Johnie R., second by Ozzy O., to adjourn the meeting at 9:50pm.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

