



## Official Minutes

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

**Wednesday December 17, 2014**

**Work Session – 6:00pm**  
**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 – 6:00pm**

- Resolution 21 – Series 2014 a Resolution to approve a Variance request at 436 Taylor St (Koellhoffer) – Hawkinson
  - No discussion ensued in work session regarding Resolution 21 – Series 2014 due to the quasi-judicial nature of the topic.
  - Speed limit signage to be reviewed and posted where necessary, including north and south town entries.

### **Regular Session – 6:30pm**

#### **1. Call to Order**

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

- 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: Town Manager Willy Powell, Town Attorney Mike Sawyer, Town Deputy Clerk Michelle Metteer, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

## 2. Approval of Agenda

- Items to be Pulled or Added

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

## 3. Approval of Minutes

- December 3, 2014

Motion by Johnie R., second by Ozzy O., to approve the minutes of December 3, 2014 as presented. Motion passed 7-0

## 4. Liquor License Authority

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

Motion by Ozzy O., second by Shelley B., to approve the FM Saloon Annual Renewal of a Hotel & Restaurant License; 146 Main St; William Campbell owner/Pres. Motion passed

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

## 6. Special Presentations

# PUBLIC HEARINGS AND ACTION ITEMS

## 7. Discussion/Action Item: Resolution 21 – Series 2014 a Resolution to approve a Variance request at 436 Taylor St (Koellhoffer) – Hawkinson

Motion by Jason O, second by Shelley B, to approve Resolution 21 – Series 2014 as amended (typo) a Resolution to approve a Variance at 436 Taylor. Motion passed (7-0).

Per current building and design/review codes this variance is valid for two years from the date of approval.

Hardship defined specifically for this property is:

- Existing houses already constructed to existing grades not feasible to change grade to meet new building height codes.
- Unable to meet building height requirements due to physical elements to the lot site.

Mr. Garth Koellhoffer, 436 Taylor St stated he plans on completing the remaining part of the project by Sept 2015.

Jan 7, 2015, the call-up will need to be re-reviewed in order to allow P&Z decision to stand.

## COUNCIL AND STAFF REPORTS

### 8. Town Planner

- TV Show Project
- Eagle County Grant

### 9. Town Manager

- Manager's Report
- Action Report

### 10. Town Attorney

- Xcel Utilities power outage update

Direction for Town to draft a letter to Xcel regarding the number of unexcused outages relation to the quality improvement program, refunds to the bill payers may become available.

Shelley B expressed concern that Xcel Energy should better utilize additional options, backup power from other utility companies, before turning off power to residents and businesses.

### 11. Town Council Comments

Education Fund will be meeting soon and adopting the scholarship application cycle which the local schools follow. Applications will become available in January on the town's website, [www.minturn.org](http://www.minturn.org).

Johnie R. and the entire Town Council wished everyone a Merry Christmas and a Happy New Year.

Direction requested from staff regarding the scheduling of recreational marijuana. Council decided to remove marijuana discussion from "Future Agendas" and discuss at a date yet to be determined and after other town priorities are completed.

## EXECUTIVE SESSION

**12. Executive Session: To convene in Executive Session pursuant to Section 24-6-402(4)(b) for the purposes of consulting with our Town Attorney regarding pending litigation and received direction from the Town Council on questions concerning the Battle Mountain Project.**

Motion by Shelley B, second by George B, to convene into Executive Session pursuant to section 24-6-402(4)(b) for the purposes of consulting with our Town Attorney regarding pending litigation and received direction from the Town Council on questions concerning the Battle Mountain Project. Motion passed (7-0).

**FUTURE AGENDA ITEMS**

**13. Next Meeting – January 7, 2014**

- Design Review call up for Kohlhoffer residence.

**14. Future Meetings:**

- 2015 Building Code update – Charlie Davis
- Meeting: Discussion/Action Joint Council/Planning Commission meeting to discuss the Zoning Code moratorium – Hawkinson

**15. Set Future Meeting Dates**

a) Council Meetings:

- January 7, 2015
- January 21, 2015
- February 4, 2015

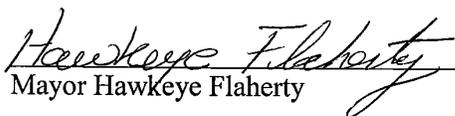
b) Planning & Zoning Commission Meetings:

- January 14, 2015
- January 28, 2015
- February 11, 2015

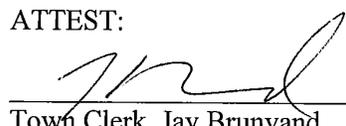
**16. Other Dates:**

**17. Adjournment**

The meeting stood adjourned at 8:20 p.m.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand

