



## Official Minutes

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

**Wednesday March 18, 2015**

**Work Session – 5:30pm**  
**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 – 5:30pm**

- Discussion Regarding Zoning Code Amendments – Hawkinson

Refer to the attached unrevised drawing attached to these minutes.

- Strike the word “midpoint” from diagram 16-2
- For 16-2, Strike entire second descriptive title line beginning with “measure maximum building...”
- Page three, take out “at base of building” on first description of measuring height
- Use the description “as an example” for illustration 16-2
- Pervious vs impervious definitions need to be confirmed
- Remove the word “for” from section
- Page 11 paragraph #1 verbiage to edit to change: a permanent greenhouse...get rid of “does not” and add “exceeds”
- Take out common line from illustration 16-5
- For 10% of a party wall change verbiage to “structure” rather than the examples given in the parentheses

- Discussion Regarding Water Rate Committee recommendations – Water Committee

## **Regular Session – 6:30pm**

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

The meeting was called to order by Mayor Hawkeye Flaherty at 6:37pm.

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, Matt Scherr, John Rosenfeld, Earle Bidez, and Shelley Bellm. Absent, excused: Ozzy Osborne. Council Member Bidez was present for work session, left to retrieve a cord, and returned at 6:43pm.

Staff present: Town Manager Willy Powell, Town Attorney Michael 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 5-0. (Earl B. and Jason O. absent, excused)

### **3. Approval of Minutes**

- February 18, 2015

For total max lot coverage for Taylor old town area should say 50% not 40%

Motion by Johnie R., second by Shelley B., to approve the minutes of February 18, 2015 as amended. Motion passed 5-0. (Earl B. and Jason O. absent, excused)

- March 4, 2015

Motion by Johnie R., second by George B., to approve the minutes of March 4, 2015 as presented. Motion passed 5-0. (Earl B. and Jason O. absent, excused)

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

Lynn Teach, 263 Pine St thanked our Public Works crew for the great snow removal during the winter season.

## 5. Special Presentations

- **Eagle River Park Restroom update & presentation**

A brief recess was taken after the special presentation and the meeting was called back to order at 7:23 pm.

## PUBLIC HEARINGS AND ACTION ITEMS

### 6. **Discussion/Action Item: Review and direction Regarding Water Rate Committee recommendations – Water Committee**

A PowerPoint presentation was presented. Discussion ensued, including

- The importance of the water meter readings and their accuracies.
- Debt retirement and the ability to pass any savings along to the consumer.
- The option of a Sunset Clause was addressed as a possible solution for both the provider and consumer.
- Recommendation was made to not attempt the re-definition of an SFE.
- Request for additional data for review
- Option for Council to determine what the restricted and unrestricted reserve in the water fund is designated towards
- Phased in approach over several years is another option to review
- Investigate water infrastructure grants
- Residential and commercial rates to receive the same rate structure.

Jason “Ozzy” Osborne joined the meeting at 8:24pm.

### 7. **Discussion/Action Item: Ordinance No. 01 – Series 2015 (Second Reading) An Ordinance of the Town of Minturn Colorado amending the Zoning Code of the Town of Minturn set forth as Chapter 16 of the Minturn Municipal Code – Hawkinson**

Shelley B. asked the Council to consider having the municipal code stay on the radar of the Council. Any additional “vague” sections of the code that are uncovered are asked to be brought forward to Council for additional review in an effort to continually be cleaning up the code.

Hawkeye F. expressed concerns over parking requirements and additional burdens to the on-street parking currently being experienced in town.

Motion by Earle B., second by Johnie R., to approve Ordinance No. 01 – Series 2015, as amended (amendments included below). An Ordinance of the Town of Minturn Colorado amending the Zoning Code of the Town of Minturn set forth as Chapter 16 of the Minturn Municipal Code as amended. Motion passed (5-2) Shelley B. and Hawkeye F. nay.

Amendments as follows: (Refer to the attached unrevised drawing attached to these minutes.)

- Sec 16-2-20 Definition of a Duplex, delete: of a main living area (living room, dining room, kitchen, bedroom, hallways and storage areas are not allowed as shared wall).
- Sec 16-3-20(t)(1) Delete “does not” and add the letter (s) to the word exceed
- Sec 16-17-140(1) Delete the word “for.”
- Diagram 16-2 strike the word “midpoint”
- Diagram 16-2, strike entire second descriptive title line beginning with “measure maximum building...”
- Diagram 16-2 use the description “as an example”
- Diagram 16-5 take out the common line

**8. Discussion/Action Item: Ordinance No. 2 – Series 2015 An Emergency Ordinance of the Town of Minturn Colorado to extend the building moratorium – Hawkinson/Sawyer**

Motion by Johnie R., second by Shelley B., to approve with amendments to include April 1<sup>st</sup> or upon Ord.1 Series 2015 becoming effective, whichever comes first; Ordinance No. 02 – Series 2015 An Emergency Ordinance of the Town of Minturn to extend the building moratorium. Motion passed (7-0)

**COUNCIL AND STAFF REPORTS**

**9. Town Planner**

**10. Town Attorney**

**11. Town Manager**

- Manager’s Report
- Action Report

**12. Town Council Comments**

Shelley B. reminded residents of Minturn that the April 10<sup>th</sup> deadline for scholarship applications is fast approaching. Awards will be made later in the spring.

Matt S. thanked staff for the work done to the revisions of the code.

Hawkeye F. wished everyone a happy spring.

**EXECUTIVE SESSION**

**13. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b) – to conference with the Town attorney for purpose of receiving a legal advice related to the Battle Mountain Resort project – Powell/Sawyer**

Motion by Ozzy O., second by Johnie R., to convene into Executive Session pursuant to C.R.S. §24-6-402(4)(b) – to conference with the Town attorney for purpose of receiving legal advice related to the Battle Mountain Resort project.

Convene into executive session at 9:19 pm.

**14. Executive Session: Direction given by Council to the Negotiators as a result of the Executive Session – Powell/Sawyer**

**FUTURE AGENDA ITEMS**

**15. Next Meeting – April 1, 2015**

- Guide Signage update - Metteer

**16. Future Meetings:**

- 2015 Building Code update -- Charlie Davis

**17. Set Future Meeting Dates**

- April 1, 2015
- April 15, 2015
- May 6, 2015

a) Planning & Zoning Commission Meetings:

- April 8, 2015
- May 13, 2015
- June 10, 2015

**18. Other Dates:**

**19. Adjournment**

As no other business was conducted, the meeting stood adjourned.

  
Haykeye Flaherty, Mayor *Mayor Pro Tem*

ATTEST:

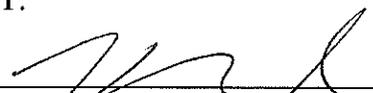
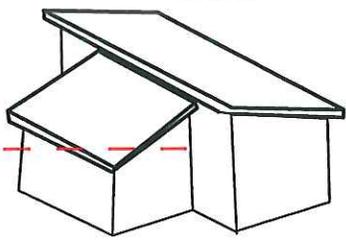
By:   
Jay Brunvand, Town Clerk



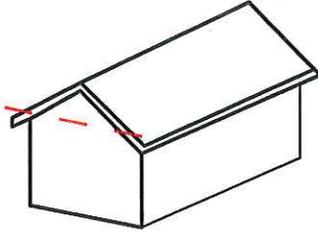
Illustration No. 16-2

Roof Types Showing Mid-point where to Measure Maximum Building Height

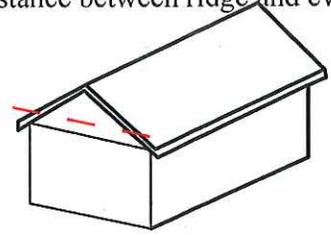
- measure maximum building height from base of building face to average distance between ridge and eave



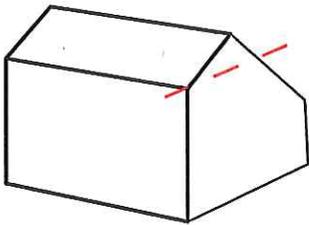
skillion & lean-to roof



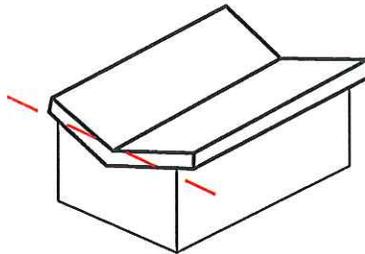
open gable roof



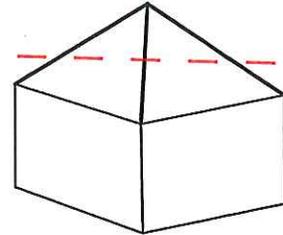
box gable roof



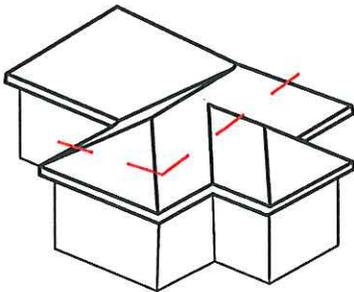
saltbox roof



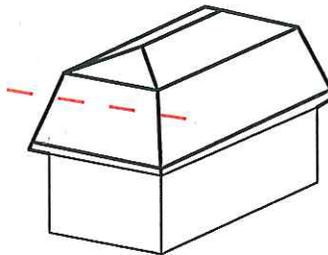
butterfly roof



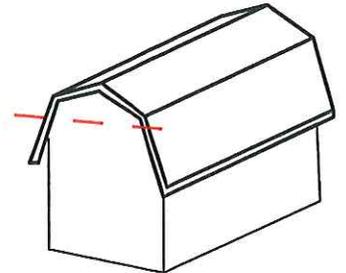
pyramid hip roof



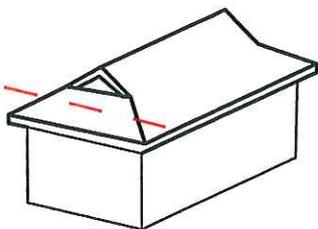
hip & valley roof



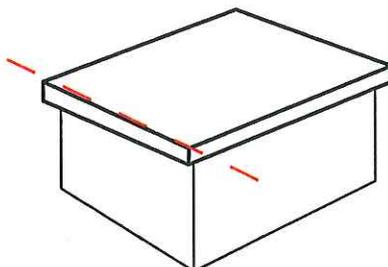
mansard roof



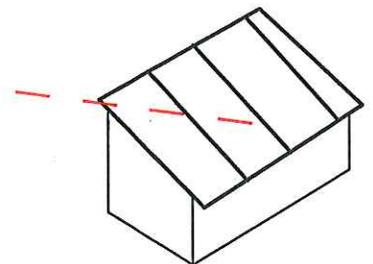
gambrel roof



dutch gable roof

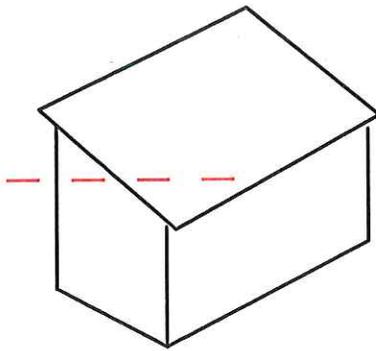


flat roof

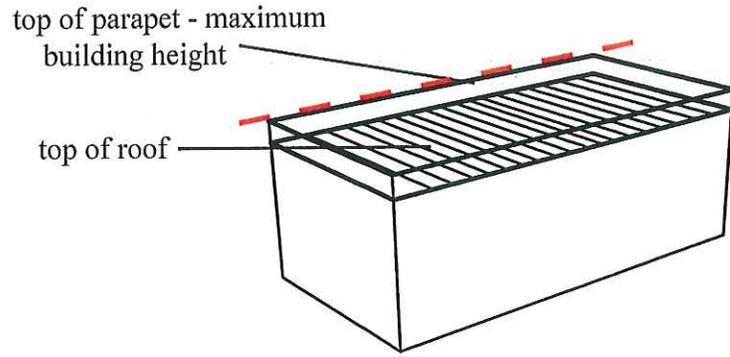


'garden shed' 12° maximum

Illustration 16-2



shed roof



parapet

Illustration No. 16-2

Building Height Measurement on a Hillside

Measure height at base of building from finished or natural grade, whichever is more restrictive, to mid-roof line, not to be higher than 28 feet

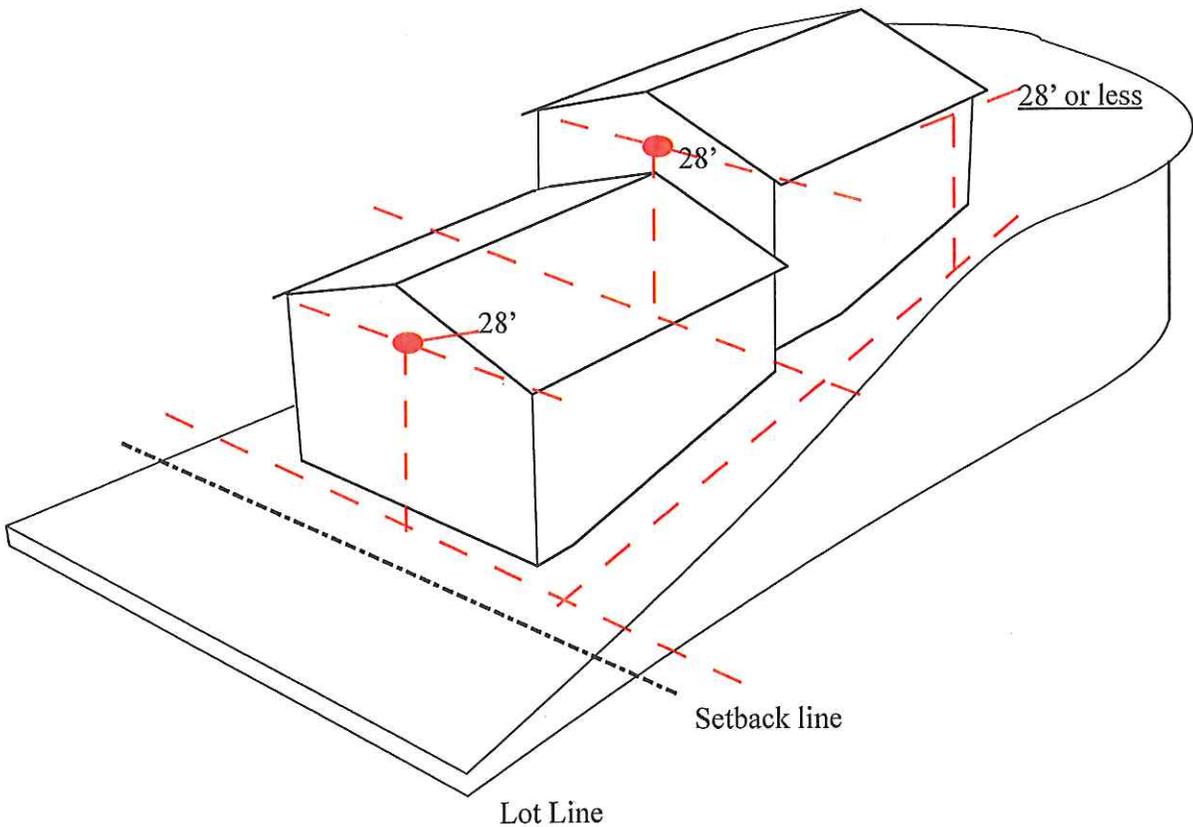
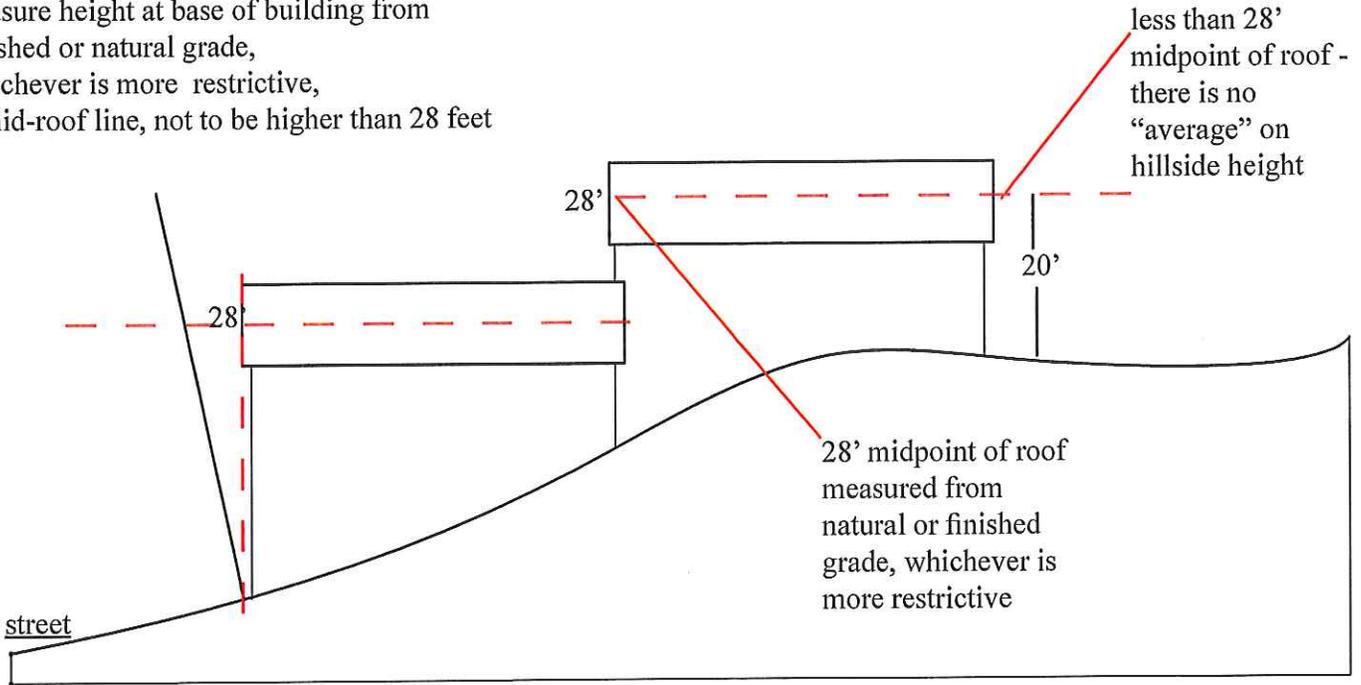


Illustration No. 16-2

Measuring building height when land has been graded and excavated  
(using a gable roof and 28' foot maximum building height as an example)

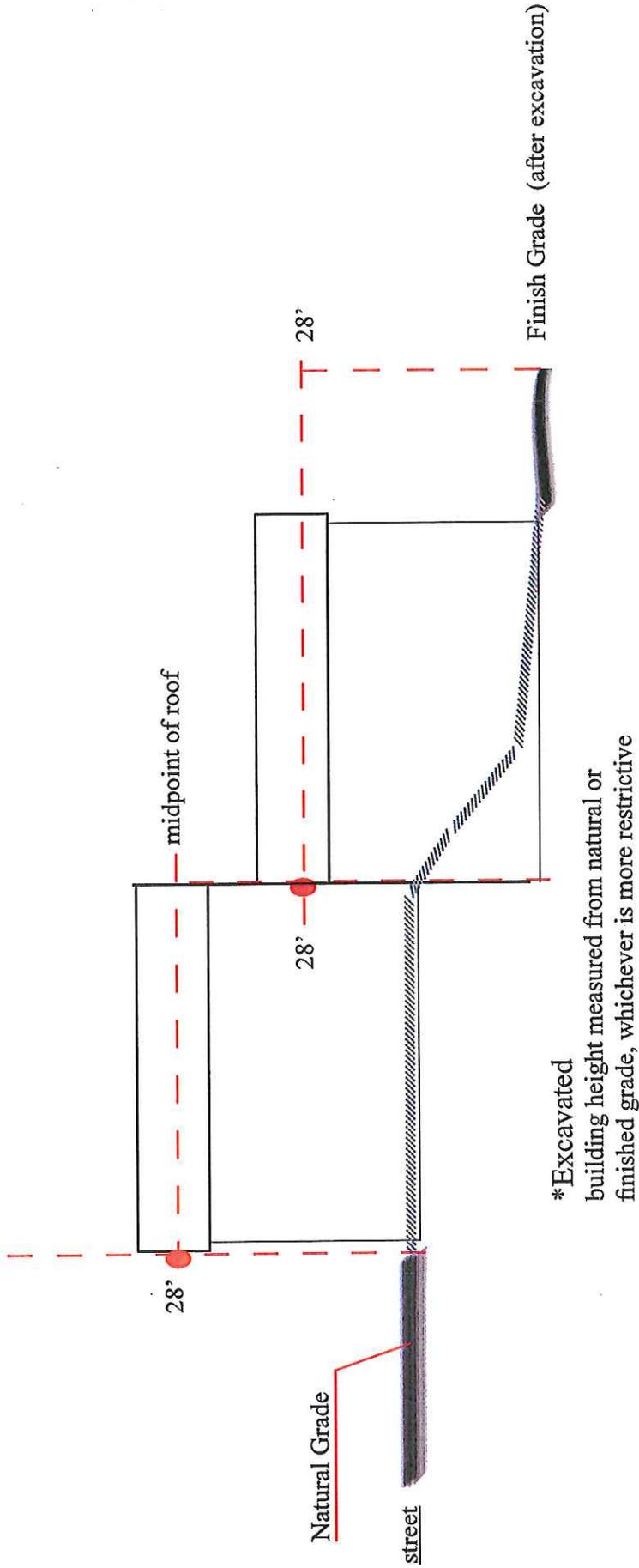
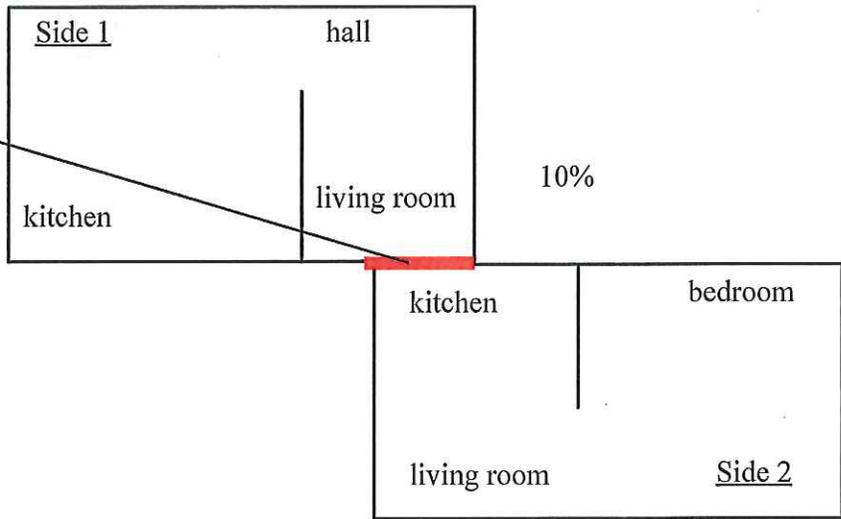


Illustration No. 16-5

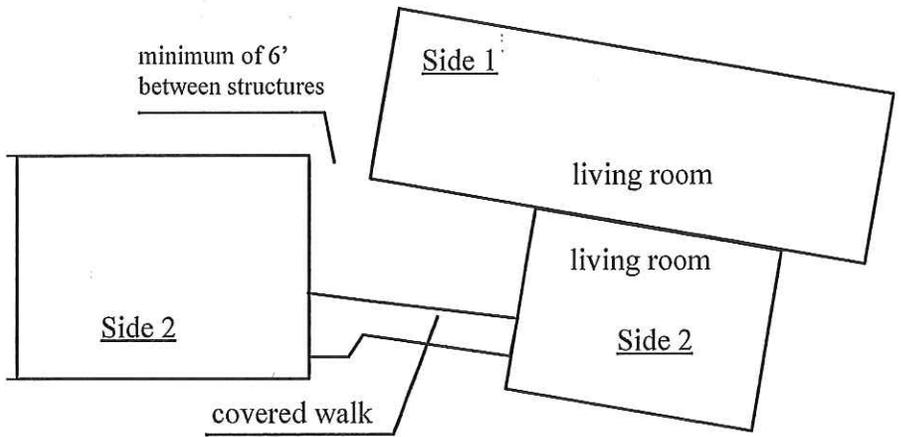
Four Duplex Connections Allowed

1) Duplex: minimum 10% of a party wall of a main living area (kitchen, living room, dining room or bedroom)



2) Duplex: connected by a shared roof line that can include covered walkways.

- the buildings must use same roof material to appear as one dwelling



3) Duplex: structure is divided into two living spaces by one wall or floor

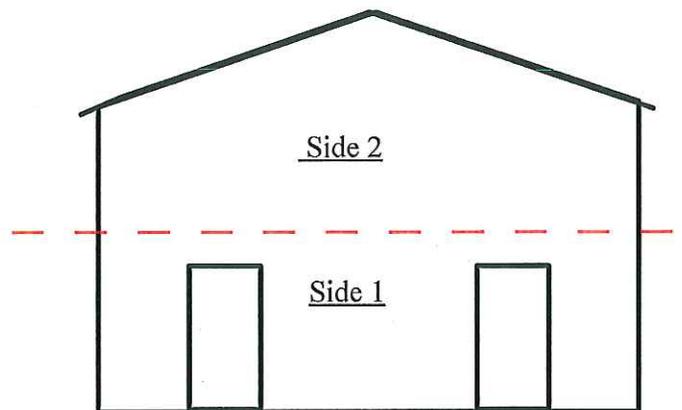
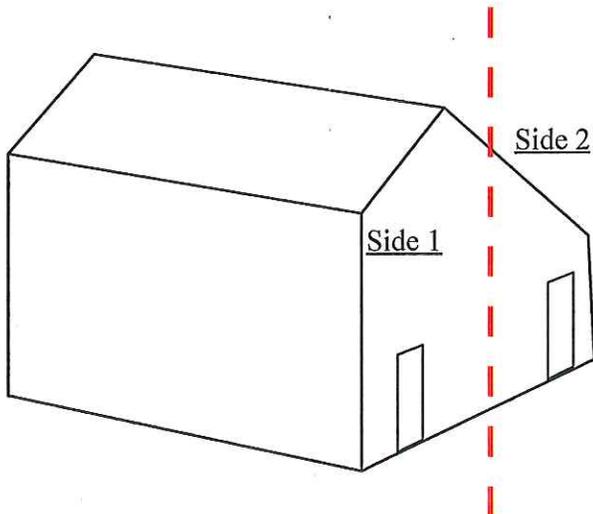
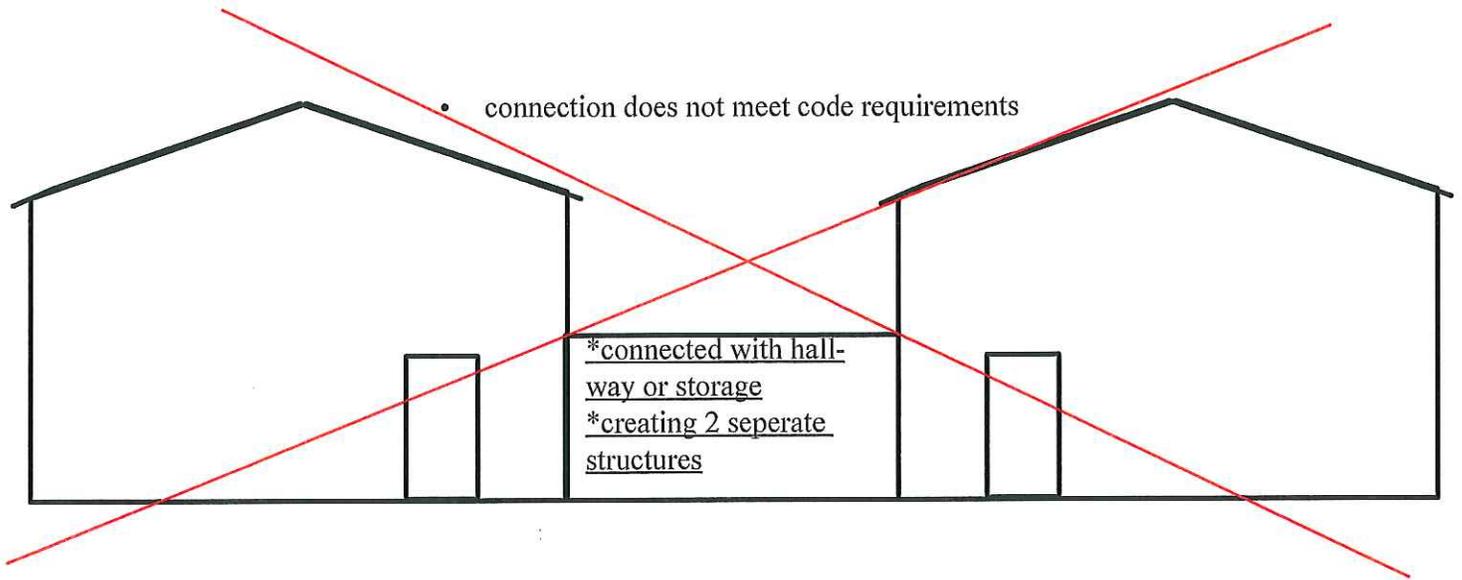


Illustration No. 16-5

Duplex Connections Not Allowed

- 1) connection by hallway or storage area, creating 2 separate houses
- 2) mirrored images



Mirrored Image Duplexes not Allowed

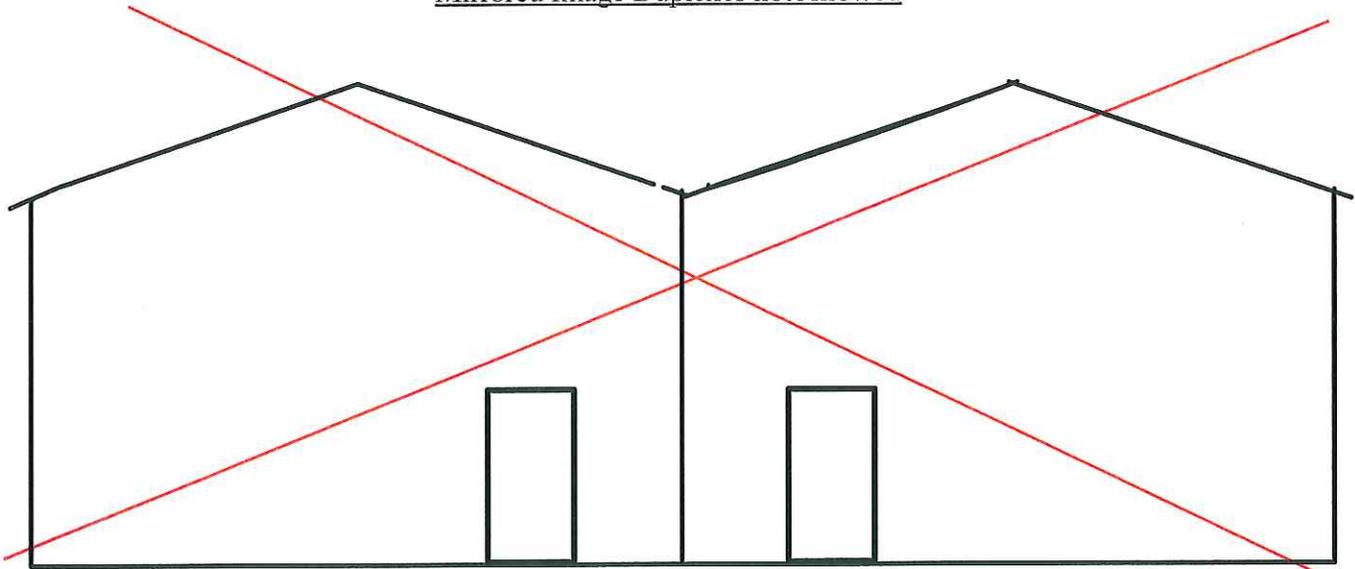
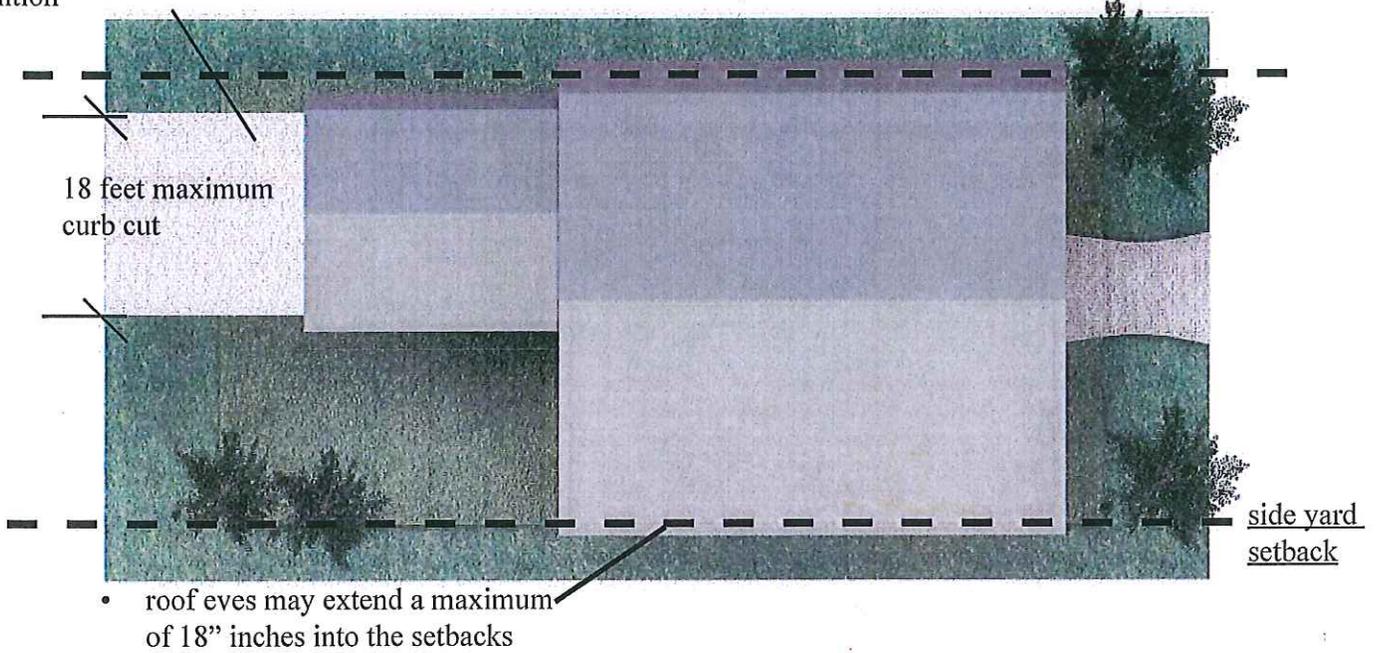


Illustration No. 16-3

50% maximum impervious surface, includes all areas described in the definition

Maximum Building Lot Coverage and Maximum Impervious Surface

40% maximum building lot coverage includes all buildings measured at the outside exterior wall



Cantilevering and Maximum Building Lot Coverage

• The cantilevered portion of the structure must meet the maximum building lot coverage

• roof eaves may extend a maximum of 18" inches into the setbacks

