



Official Minutes

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

Wednesday February 3, 2016

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

- Review of Federal Land Exchange process Tom Glass, Western Land Group - Powell
- Eagle River Fire Protection District training facility options – Powell
 - Direction was to add approval of this to the agenda under Action Items.
- Discussion regarding the desire to take up in-Town marijuana sales – Powell/Sawyer/Brunvand

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye F. at 6:33pm.

- Roll Call

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

Staff present: Town Attorney Mike Sawyer, Town Manager Willy Powell, Town Clerk/Treasurer Jay Brunvand, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added
 - Add Council Direction regarding the ERFPD as 7a

Motion by George B., second by Shelley B., to approve the agenda as presented. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent.

3. Approval of Minutes

- January 20, 2016

Motion by Shelley B., second by George B., to approve the minutes of January 20, 2016 as presented. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent.

4. Liquor License Authority

- Gourmet Cowboy Liquor license Transfer to Golden Aspen Leaf, Inc DBA The Gourmet Cowboy Bar; 455 Main St.; Clifford A. Dorn, III Owner/Pres – Brunvand

Jay B. outlined the issues and presented the findings for the Council. Staff recommended approval of the application.

Public hearing opened.

Mr. Clifford Dorn, applicant was present to present and answer questions.

No Comments

Public hearing closed.

Motion by Earle B., second by George B., to approve the Gourmet Cowboy Liquor license Transfer to Golden Aspen Leaf, Inc DBA The Gourmet Cowboy Bar; 455 Main St.; Clifford A. Dorn, III Owner/Pres as presented. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent.

- That the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on January 21, 2016 at least 10 days prior to the hearing, and the publication for

the hearing was published in a newspaper of general circulation on January 22, 2016 at least 10 days prior to the Public Hearing.

- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- That pursuant to C.R.S. 12-47-313(1)(d) – Restrictions for applications for new license, the physical location where the applicant proposes to exercise the privilege of selling liquor at the retail store, does not appear to be within 500 feet from any public or parochial school or principal campus of any college, university, or seminary.
- That Minturn Police Dept/ECSO has conducted a background investigation on the listed owners. This investigation was not able to identify any conditions or information, which in and of itself would forbid the approval of the applicant's license. However, the following considerations will be attached to the approval:
- The applicant's fingerprints are still being reviewed by the CBI and the FBI and it is foreseeable this process will not be completed in a timely manner. Staff has preformed a background check using available resources. In the event the applicant fingerprints are returned indicating sufficient reason to dispute good moral character the license will be forfeited.
- The Local Liquor Authority has duly emphasized the requirement of operating an orderly establishment as related to noise and or live entertainment and the well being of the neighborhood.

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

Mr. Cliff Thompson, Crave Communities, updated the Council on how their project is progressing. He stated the company will present their concept at the following upcoming open house meetings:

Thursday February 4th 4-6pm

Monday February 8th 6-8pm

Thursday February 11th 6-8pm

Additionally, the Planning Commission will begin to review the plan too.

6. Special Presentations

- Committee Report

Shelley B. noted the scholarship applications are being accepted through March 31, 2016. All applications submitted shall be submitted complete. Willy P. updated the Council on the tax exempt status of the Foundation, it has been approved, and will be mailed off tomorrow.

PUBLIC HEARINGS AND ACTION ITEMS

7. Discussion/Action Item: Consideration of Resolution No. 2 – Series 2016 A Resolution appointing individuals to the Planning Commission – Hawkinson

Janet H. stated the Council is being requested to appoint an applicant to the Commission for a two year term. The term will run through March 2017.

Each applicant was given a chance to introduce himself to the Council and Council interviewed each candidate.

The two candidates were as follows:

- Mr. Jeff Armistead, 1632 Main St.
- Mr. Justin Carter, 432 Main St.

The decision was made by written ballot. Mayor Flaherty presented the results: Justin Carter was selected with three votes.

Motion by Shelley B., second by George B., to approve Resolution No. 2 – Series 2016 A Resolution to appoint Justin Carter to the Minturn Planning Commission through March 2017 as presented. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent.

7a. Direction from Council directing Staff to proceed with ERFPD

Motion by Shelley B., second by George B. to direct Town Manager to convey recommendations contained in memorandum to the Fire District and negotiate a MOU with the District, pursuant to the recommendations.. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent.

COUNCIL AND STAFF REPORTS

8. Town Planner

- Planner Report

Planning Commission Agenda:

- Begin Master Plan Update per Code Section 16-21-60 (h)
- Crave Communities Special Presentation on February 10 meeting
- Final Subdivision Application Highway 24 Parcel - Inter Mountain Landscape
- Zoning Change from PUD to Commercial at Highway 24 Parcel

Building Permits 2016

- 1 new building permit
- Design Review New Home Permits 2015 – 6 homes still under construction, no Certificate of Occupancy applied for yet.
- Future Meetings: 2015 Fire Code and 2009 IBC
- Renewal of SafeBuilt Contract as Building Inspectors

Planning Projects

- Entry Way Project
- Lighting
- Municipal Parking

Matt S. felt as part of the Master Plan we look at the parking plan too.

Hawkeye stated we should pull the Permit Parking sign in the Municipal lot. Staff assured the Council the sign will be removed and the lot plowed and maintained.

9. Town Manager

- Manager's Report

Bolts Ditch Lobbying

We have been successful in gaining local and regional support for the Bolts Ditch legislation. I have attached copies of the support letters. Support comes from the following.

- Eagle County
- Eagle River Water & Sanitation District
- Upper Eagle Regional Water Authority
- Colorado River District
- Eagle Park Reservoir Company

Additionally we have a letter from three environmental/wilderness entities stating they have no objection, letter attached.

Bolts Lake

The EPA, after many months, has accepted the Feasibility Study of the Eagle Mine Site. Importantly Bolts Lake is not included in the remedial site or the remedial activities. I am scheduling a meeting with Tim McGuire to discuss their next steps. See attached letter.

TAP Engineering

I have scheduled a meeting with Stolfus & Assoc. to negotiate engineering costs and schedule.

100 Block Engineering

Jeff Spanel, Janet and I have a meeting in Grand Junction on February 10th attempting to resolve issues and finalize plans.

Discussion ensued as to the wetlands area associated with Bolts Lake; Willy P. will get the answers.

Shelley B. noted Eagle River Park should be signed as No Overnight Parking. Currently two spaces are signed for snow removal the other four open for parking. Council did not desire to sign the additional four spaces.

- Action Report

10. Town Council Comments

Matt S. thanked the Police for their continued work for the Town and the citizens. Issues are being handled directly and fairly. Matt S. did note snow is not being removed from sidewalks

and asked for enforcement. Discussion ensued as to what actions could be taken. Staff will proceed with follow up and enforcement. Shelley B. asked about weekend plowing. Willy P. will work with Public Works on how this can be remedied.

Earle B. reiterated Cliff Thompson's comments regarding the South Minturn exchange.

11. Town Attorney

EXECUTIVE SESSION

12. Executive Session: An executive session for the purpose of discussing specific legal questions with the attorney for the purposes of receiving legal advice under C.R.S. Section 24-6-402(4)(b), USFS/Battle Mountain Land Exchange – Powell/Sawyer

Motion by Matt S., second by Earle B., to convene in Executive Session for the purpose of discussing specific legal questions with the attorney for the purposes of receiving legal advice under C.R.S. Section 24-6-402(4)(b), Battle Mountain Land Exchange as presented. Motion passed 5-0. Note: John Rosenfeld and Ozzy Osborne were excused absent. Motion passed 4-1 (Nay: Shelley B) Note: John Rosenfeld and Ozzy Osborne were excused absent.

Council Direction given as a result of the Executive Session:

FUTURE AGENDA ITEMS

13. Next Meeting – February 17, 2016

- Updates on CDOT and Entryway project

14. Future Meetings:

- Work Session – Review of Job Descriptions - Powell
- Work Session on housing – Hawkinson

15. Set Future Meeting Dates

a) Council Meetings:

- February 17, 2016
- March 2, 2016
- March 16

b) Planning & Zoning Commission Meetings:

16. Other Dates:

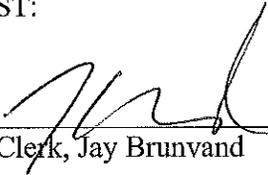
17. Adjournment

Motion by George B., second by Shelley B., to adjourn at 9:53pm.



Mayor

ATTEST:



Town Clerk, Jay Brunvand

