



Official Minutes

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

Wednesday April 5, 2017

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

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Sidney Harrington
Kristina Krone
Sage Pierson
John Widerman

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 – 6:00

- Discussion regarding the Vacation Home Rental proposed Ordinance – Hawkinson/Metteer

Regular Session – 6:30 pm

1. Call to Order

Mayor Matt Scherr called the meeting to order at 6:35pm

- Roll Call

Those present included: Mayor Matt Scherr, Mayor Pro Tem Earle Bidez, Town Council members, Sidney Harrington, Sage Pierson, Terry Armistead, Kristina Krone, and John Widerman.

Staff present: Town Manager Willy Powell, Assistant Town Manager/Econ Dev Michelle Metteer, Town Attorney Michael Sawyer, Town Planner Janet Hawkinson, and Town Treasurer/Clerk Jay Brunvand

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Terry A., second by Kristina K., to approve the agenda as presented. Motion passed 7-0.

3. Approval of Minutes

- March 15, 2017

Motion by John W, second by Sage P., to approve the minutes of March 15, 2017 as presented. Motion passed 7-0.

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

Ms. Shelley Bellm, 470 Pine St, updated on the scholarship applications for the Minturn Education Fund. They have nine applications. She noted the importance of a complete application. She will work on setting up a Scholarship meeting to award the scholarships to the applicants.

5. Special Presentations

- Presentation on Aging Well

Ms. Pat Nolan and Ms. Megan Keen, Eagle County Public Health, updated on the progress they have made on the Aging Well In Eagle County community initiative.

- Committee Reports

Terry A. stated the next Battle Mountain meeting is May 1 to discuss the next steps including Bolts Lake.

John W. gave a County Climate Action Committee meeting update. They have broken down to subgroups and his group will focus on building codes and how climate action can be addressed within the codes. He also updated on the Eagle Mine and how the changing laws will affect the mine water treatment facility. ECO Transit is looking to get the surveys in for the service and for those that got the free 10punch passes.

- Council Comments

Terry A noted the Barstool Race, a town event on this Saturday, April 8. The summer concert series starts on Thursday night, July 6, Thursday nights. USFS is having an open house regarding Gold Peak tomorrow night at 5pm.

Sage P. thanked all for their parking input.

Matt S. next Monday with Mayor will be Monday, April 25th at 10am and the location is still being set. Homestake school is performing Annie. Happy Birthday to both Michelle M. (April 7) and Janet H (April 3).

PUBLIC HEARINGS, DISCUSSION, AND ACTION ITEMS

6. Discussion/Action Item: Proclamation in support of Safe Driving – Metteer

Introduced by Michelle M. who introduced Shelley Bellm, Sheriff Van Beek, and Officer Phil Cusick. The Proclamation was publicly read by Sheriff Van Beek. He further stated the Eagle County Sheriff's Office also supports this Proclamation. Ms. Bellm reminded all of the distractions caused by cell phones.

Council expressed their individual support.

Motion by Earle B., second by John W., to approve the Proclamation in support of Safe Driving. Motion passed 7-0.

Sheriff Van Beek noted the ECO Sheriff is working hard to be in contact with the public. He announced the Eagle County Sheriff phone ap. It works similar to the ECO Alert however this is directly through the ECO Sheriff's office.

May 21-27 the ECO Sheriff's Office will be hosting the Colorado Sheriff's Conference. Sheriff Van Beek will forward information to the Town.

7. Discussion/Action Item: Direction from the Town Council to refer the Vacation Home Rental proposed Ordinance back to the Planning Commission for further review and comment – Hawkinson/Metteer

Matt S. gave an update of the efforts thus far. He noted, on behalf of the Council, the work the Planning Commission has done. The meeting will be April 12 6:30 and the public is invited. The agenda will be available the Friday before the Wednesday meeting.

Council direction was given to refer this to the Planning Commission for further review and recommendation.

8. Discussion/Action Item: Ordinance 05 – Series 2017 (Second Reading) an Ordinance amending the Town Code regarding loitering – Powell/Sawyer

Michael S. updated on the purpose of the ordinance and noted no changes from the First Reading.

The Public Hearing was opened.

No comment.

The Public Hearing was Closed.

Motion by Terry A., second by Sidney H., to approve Ordinance 05 – Series 2017 (Second Reading) an Ordinance amending the Town Code regarding loitering as presented. Motion passed 7-0.

9. Discussion/Action Item: Ordinance 06 – Series 2017 (Second Reading) a Supplemental Appropriation for 2016 as requested by auditors – Brunvand

Jay B. updated the council and noted no changes had been made since First Reading.

The Public Hearing was opened.

No comment.

The Public Hearing was Closed.

Motion by Sidney H., second by John W., to approve Ordinance 06 – Series 2017 (Second Reading) a Supplemental Appropriation for 2016 as requested by auditors as presented. Motion passed 7-0.

10. Discussion/Action Item: Ordinance 07 - Series 2017 (Second Reading) regarding Parking fine structure – Powell

Willy P. outlined the purpose to encourage parking compliance town wide. There are no changes from first reading.

The Public Hearing was opened.

No comment.

The Public Hearing was Closed.

Motion by Earle B., second by Terry S., to approve Ordinance 07 – Series 2017 (Second Reading) regarding Parking fine structure as presented. Motion passed 7-0.

11. Discussion/Action Item: Resolution 08 – Series 2017 a Resolution allocating Holy Cross Energy Community Enhancement funds – Metteer

Michelle M. outlined the Resolution. This is an annual allocation from Holy Cross. The funds will be used to repair the lighting on Bellm Bridge, the Municipal Lot lighting, and new flower boxes on the Bellm Bridge.

Motion by Terry A., second by Sage P., to approve Resolution 08 – Series 2017 a Resolution allocating Holy Cross Energy Community Enhancement funds as presented. Motion passed 7-0.

12. Discussion/Action Item: Resolution 09 – 2017 a Resolution in support of the Xcel Partners in Energy Grant application for Minturn – Metteer

Michelle M. outlined the proposal as a grant application for Xcel to assist the town with developing a Partners in Energy Strategic Energy Plan. John W. outlined the technical assistance the town will receive.

Motion by Terry A., second by Sidney H., to approve Resolution 09 – 2017 a Resolution in support of the Xcel Partners in Energy Grant application for Minturn as presented. Motion passed 7-0.

13. Discussion/Action Item: Resolution 07 – Series 2017 a Resolution approving a real property exchange and Temporary Easement Agreement – Powell

Willy P. outlined the Resolution as a land exchange for land at the corner of Main St and Eagle St. The town has land which the building at 100 Main sits on and Minturn Realty has contiguous land to the parcel that is not encroached on. This transfer will remedy the encroachment for the benefit of both owners.

Michael S. outlined the legal aspects and recommended approval.

Motion by Earle B., second by Kristina K., to approve Resolution 07 – Series 2017 a Resolution approving a real property exchange and Temporary Easement Agreement as presented. Motion passed 7-0.

14. Liquor Authority

- Town of Minturn Barstool Race Celebration Request for Special Event Permit; Little Beach Park 800 Cemetery Rd.; Michelle Metteer, Town Economic Dev Coordinator – Brunvand

Jay B. updated the Council.

The Public Hearing was opened.

No comment.

The Public Hearing was Closed.

Proceeds will go toward the Minturn Community Fund Neighbors in Need program and Pooh Corner. Food provided and sold by Pooh Corner for the preschools benefit.

Motion by Terry A., second by Kristina K., to approve the Town of Minturn Barstool Race Celebration Request for Special Event Permit; Little Beach Park 800 Cemetery Rd.; Michelle Metteer, Town Economic Dev Coordinator as presented. Motion passed 7-0.

- Minturn Country Club Annual Renewal of a Hotel & Restaurant License; 131 Main St.; Joe Honnessy, President – Brunvand

Jay B. outlined the renewal and recommended approval.

Motion by Terry A., second by Sidney H., to approve the Minturn Country Club Annual Renewal of a Hotel & Restaurant License; 131 Main St.; Joe Honnessy, President as presented. Motion passed 7-0.

COUNCIL AND STAFF REPORTS

15. Town Planner (5min)

Janet H. discussed the construction on the way into town, updated the council on the concerns and issues and stated they are in compliance.

16. Town Manager (5min)

- Manager's Report

Bolts Ditch Legislation

As earlier reported the US House has passed the bill as stand-alone legislation. On the Senate side the legislation has passed out of committee and now on to the Senate Floor, and will be part of a larger legislative bill. Assuming passage by the Senate, it will then go back to conference committee for final adoption.

Dowd Junction

Things are slow moving at the Forest Service

We have two grocers interested in the property and other parties interested too.

Dowd Junction Waterline

We have identified two alignment alternatives for the waterline. One alignment is between the tracks and Eagle River and the other is on the county road. Both alignments require licensing

and payment to the railroad. Unfortunately, the county road exists on an easement of Union Pacific and is only for surface transportation and the license is silent on utilities. The railroad seems steadfast on charging the town for the waterline easement. We are checking on two items. The town has two licenses for waterline work and we are taking the position that “modifying” the waterlines to increase the size from 8” to 12” is allowed. The town is also taking the position that if the waterline is on the county road, it would serve as value added to the UP property. So far that position has been rejected.

An appraisal has been ordered to value an underground utility on either alignment.

Minturn to Dowd Bike Trail

The bike trail uses three ownership pieces of land: the county road, USFS land and potentially State Land Board property. As reported the Land Board will not issue an easement until their dispute with CDOT is concluded. The Forest Service will not accept an application for processing an easement request until all other parties have granted permission. Because the SLB—CDOT dispute has lingered so long, I have instructed our engineers to show two alternatives alignments in this area: one crossing the SLB land and one using the county right of way in this stretch. Then we can apply to the FS, which applications have been prepared for some time.

Battle Mountain Chain UP Station

Deputy Cusick and I will be attending a CDOT meeting to discuss an improved chain-up station at the base of the Battle Mountain Pass. Phil has met with Tim McGuire to coordinate the location of the station in relation to the Tigiwon Road access point. It is likely there will be a roundabout at the Tigiwon intersection with US24. The chain-up station should be located south of the roundabout so it is not impaired by chained up trucks.

Main Street Pedestrian Planning Project

On April 17, the town and Stolfus engineering have an important meeting with CDOT reviewing right of way plans and needed permanent and temporary easements. Some of the easements are needed for CDOT repaving work and others for the Town improvements project. Most of the town’s needed easements are temporary in nature and needed to “chase” driveways. A few easements are needed for drainage alignments and sedimentation boxes leading to the Eagle River.

- Action Report

17. Assistant Town Manager (5min)

- Assistant Manager’s Report

Municipal Lot Parking (Public Parking)

Overnight parking is now allowed in the Municipal (Public Parking) lot. For residents of the 100 block with limited or no onsite parking, this will help alleviate the limited overnight parking options. Public Works and the Town Manager are now looking into lighting improvements for the municipal lot itself and Bellm Bridge to make nighttime use of these areas safer and more user friendly.

Eagle River Park Parking

The parking area just south of the Eagle River Park basketball court has been an area of neighborhood contention for years. After review of original agreements with the Ironworks Building and with Simon Property Services; here is the breakout of the parking allocations: Iron Works building made upgrades to eight (8) spaces in the Eagle River Park parking area for non-exclusive business overflow parking. Simon Property Services Agreement cites the Municipal Parking Lot for possible tenant overnight parking (note: the municipal lot did not allow overnight parking until March 2017). See Pros/Cons list attached for additional Eagle River Park parking feedback.

100 Block Parking

Business owners of the 100-Block brought forward a petition requesting enforced 2-hour parking. This request was in response to a myriad of users including customers, employees, business owners, residents, skiers and more parking in in the 100 block for extended periods of time. The town has taken steps to help alleviate the need for long-term parking on the 100 Block, including opening up the municipal lot to overnight parking. Residents are now (for the most part) parking off of Main Street. Staff continues to see business owner's vehicles parked on Main Street and on Williams Street. The full 100 Block Parking discussion will be scheduled for the April 19 Town Council agenda.

Guide Signage

Minturn's Guide Signage (Wayfinding signs) application was submitted to CDOT in December of 2016. Janet Hawkinson continues to work with CDOT through the approval process. Two of the signs in the application specifically address parking with the first sign at the north end of town (Active Energies area) directing folks into the 1st Street area for "Restaurant and Shops Parking" and the second sign in front of Magustos directing drivers to "Public Parking" in the Municipal (Public Parking) lot. Staff anticipates 100 Block parking concerns to be further alleviated once the guide signage is installed.

ECO Transit 10-Ride Punch Pass Program

Fifty people were awarded 10-Ride Punch passes thanks to ECO Transit. The purpose of this program was to have Minturn-area residents use the bus and provide feedback on route times, transfers, cost, ease of use and more. The punch passes were handed out via a lottery in December of 2016 and staff recently sent out the survey for feedback regarding ways to improve transit in the Minturn area. More information to follow once all surveys have been collected.

Community Garden

Applications for the 2017 Community Garden are now available through the Minturn Community Fund. The Garden is scheduled to open May 20th.

Adopt A Trail Program

The Town of Minturn adopted and maintains the Game Creek Trail as part of the Eagle County Adopt A Trail Program. Volunteers are needed. We plan on holding three trail maintenance days during the summer of 2017 and anyone interested in a little outdoor work is encouraged to sign up. Additionally, the Minturn Mini Mile trail is being added to the Adopt A Trail Program this

year. The lottery for new trail adoptions will take place on April 10th at the Dusty Boot in Beaver Creek. Businesses interesting in adopting a trail should contact Michelle Wolffe at ecadoptatrail@gmail.com.

Minturn Market

Vendor registration for the 2017 Minturn Summer Market is currently open and the market is at about 70% capacity. We currently approving vendors, scheduling entertainment and searching for interested face painters. The market will run June 17th thru Sept 9th from 9:00 am to 2:00 pm rain or shine.

Willy P. updated on the Eagle Street Park parking plan. Staff is currently working on a pro-con list to best format a recommendation. He stated he was interested in obtaining the information from Council as well. Willy P. discussed options such as overnight parking and 2hour parking in the day.

Matt S. stated some of the concern is the impact of overnight parking on the residents of the park area. Matt S. was clear that there is a difference between overnight parking and long term parking.

Terry A. expressed concerns she has heard including late night workers leaving their cars days on end, sleeping in their car, treating the parking as their own personal space, etc.

Willy P. clarified that signs have been placed at the park and once we can judge the effectiveness of the signage. It was discussed of the concern of quick or over action/reaction and the need to be fair and just. It was also noted that lighting in the Muni Lot would help alleviate some of the concerns. Willy P. stated we should have a light cost bid within the next two weeks or so.

Matt S. stated overnight parking but no long-term parking are factors to finding the solutions.

Discussion ensued on parking, parking leases, signage, and solutions. It was noted some of the problems are different at night than in the day.

Straw poll: 2hour parking 9am-7pm, overnight parking 7pm to 9am. 2hour parking will be unenforceable. Michelle M. noted the offenders are more often than not the store owners/employees. It was noted the consensus is not to be long term parking and that 2hour parking is unenforceable.

18. Town Attorney

Sidney H. asked to include a work session on nonconforming structures in the town. Michael S. stated many structures in town were developed prior to our zoning laws. Although allowed to continue they are required to be mitigated under specific rules within the code such as health/safety issues, redevelop more than 50% of the structure, and other similar. Increasing the nonconformance beyond those existing nonconformance's. Discussion ensued as to what authority the town has. Staff will prepare a primer of what the town can and can not do and forward to the Council.

FUTURE AGENDA ITEMS

19. Next Meeting – April 19, 2017

- Review 100-Block Employee Parking Plan Phase I
- Worksession: Parking, Speeding, and traffic control

20. Future Meetings:

- Work Session on housing – Hawkinson
- Snow plow & mag chloride debriefing

21. Set Future Meeting Dates

a) Council Meetings:

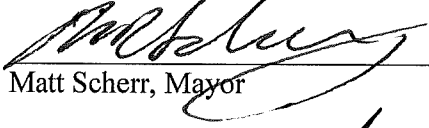
- April 19, 2017
- May 3, 2017
- May 17, 2017

22. Other Dates:


- Barstool Racing: April 8, 2017

23. Adjournment

Motion by John W., second by Sage P., to adjourn the meeting at 9:30pm.


Matt Scherr, Mayor

ATTEST:


Jay Brunvand, Town Clerk

