



**Town Council Agenda
Wednesday December 1, 2021
Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order and times of agenda items listed are approximate. This agenda and meetings can be viewed at www.minturn.org.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/83126667292>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 831-2666-7292**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

CALL TO ORDER – 5:30 PM

ROLL CALL & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA *Opportunity for amendment or deletions to the agenda.*

DECLARATION OF CONFLICTS OF INTEREST

PUBLIC COMMENT – 5:35 PM *Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

CONSENT AGENDA – 5:40 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. November 17, 2021 Meeting Minutes Pg 4

SPECIAL PRESENTATIONS – 5:45 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

COUNCIL COMMENTS & COMMITTEE REPORTS – 5:45 PM

BUSINESS ITEMS – 5:50 PM *Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.*

1. Ordinance 16 – Series 2021 (Second Reading) An Ordinance Creating a Supplemental Appropriation to the 2021 Town of Minturn Budget – Brunvand Pg 14
2. Ordinance 17 – Series 2021 (Second Reading) An Ordinance Setting the 2022 General Property Tax Mill Levy for the Town of Minturn – Brunvand Pg 21
3. Ordinance 18 – Series 2021 (Second Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2022 for the Town of Minturn – Brunvand Pg 25
4. Ordinance 19 – Series 2021 (Second Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2022 Revenues and Expenses by Fund – Brunvand Pg 34
5. Ordinance 20 – Series 2021 (Second Reading) An Ordinance prohibiting the sale of puppy mill animals to be sold in within the town limits of Minturn – Metteer Pg 39

DISCUSSION / DIRECTION ITEMS – 6:30 PM

1. Discussion – Pine Street Repairs (Norman Ave to Mann Ave) – Spanel Pg 44
2. Water Tank Update – Metteer/Gordon/Mann Pg 52
3. Minturn North Metro District Discussion - Sawyer Pg 56

STAFF REPORTS – 8:30 PM

1. Town Manager Update

FUTURE AGENDA ITEMS – 8:40 PM Pg 75

EXECUTIVE SESSION – 8:45 PM

1. Executive Session pursuant to C.R.S. § CRS 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS 24-6-402(4)(e) – Eagle River Water and Sanitation District, Battle Mountain, Water Court application, and request to adjourn the regular meeting at its conclusion.

ADJOURN

INFORMATIONAL ONLY ITEMS

Council Meetings:

- December 15, 2021
- January 5, 2022
- January 19, 2022
- February 2, 2022



**Town Council
OFFICIAL MINUTES
Wednesday November 17, 2021
Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 886 1664 9940**

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PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

CALL TO ORDER – 5:30 PM

The meeting was called to order by Mayor Earle Bidez at 5:34pm using a hybrid in-person and ZOOM on-line meeting format.

ROLL CALL & PLEDGE OF ALLEGIANCE

Those present include: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, and Town Council members George Brodin, Lynn Feiger, Eric Gotthelf, Gusty Kanakis, and Tom Sullivan (via Zoom).

Staff present: Town Manager Michelle Metteer, Town Planner Scot Hunn, Town Attorney Richard Peterson-Cremer (via Zoom), and Town Treasurer/Town Clerk Jay Brunvand.

APPROVAL OF AGENDA *Opportunity for amendment or deletions to the agenda.*

Motion by Gusty K., second by Terry A., to approve the Agenda of November 17, 2021 as presented. Motion passed 7-0.

DECLARATION OF CONFLICTS OF INTEREST

PUBLIC COMMENT – 5:35 PM *Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

CONSENT AGENDA – 5:40 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. November 3, 2021 Meeting Minutes
2. FM Saloon Inc annual renewal of a Hotel & Restaurant (City) Liquor license; 146 N. Main St; Steve Campbell, President/Manager

Motion by George B., second by Eric G., to approve the Consent Agenda of November 17, 2021 as presented. Motion passed 7-0.

SPECIAL PRESENTATIONS – 5:45 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Proclamation for Colorado Gives Day – Sarah Heredia

Ms. Sue Brown and a host of other representatives from nonprofits county wide were present to outline the Proclamation. Donations can be made early and will be released on the day of at eaglecogives.org.

Earle B. read the Proclamation and it was unanimously supported and approved.

COUNCIL COMMENTS & COMMITTEE REPORTS – 6:00 PM

Gusty K. noted the kick off for the Community Plan process. He also noted the official Bid Opening for the water tanks. He noted the bids came in about \$4m+, the propose budget is \$3.2m so there will be future discussions.

Terry A. noted they have openings on the HighFive Media board. She noted Rocky Mtn Taco has three skateboard decks that are being auctioned on Facebook.

Earle B. noted 11/16/2009 Michelle M. was hired and moved through the ranks to Town Manager. In her honor we had a wonderful cake and everyone spoke highly of Michelle and her wonderful attitude and success and how her success was the town's success.

BUSINESS ITEMS – 6:15 PM *Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.*

1. Ordinance 20 – Series 2021 (First Reading) An Ordinance prohibiting the sale of puppy mill

animals to be sold in within the town limits of Minturn – Metteer

At the September 15 Council Meeting a presentation was given on the need to consider an Ordinance that would ban the sale of pet dogs and cats which are furnished dog and cat mills and sold through retail tail outlets. Council directed Staff to prepare an Ordinance to address this issue.

Lynn F. asked if this included sales online. Shelley of Eagle County Animal Shelter discussed breeders are not the same as puppy mills and it would be very difficult to enforce online sales.

Public hearing opened

No comment

Public Hearing closed

Motion by Gusty K., second by Eric G., to approve Ordinance 20 – Series 2021 (First Reading) An Ordinance prohibiting the sale of puppy mill animals to be sold in within the town limits of Minturn as presented. Motion passed 7-0.

2. Ordinance 12 – Series 2021 (Second Reading) An Ordinance Amending Chapter 16 to provide for the rezoning of the Grouse Creek Commercial Zone District, the Old Town Character Area, and the South Town Commercial Zone District to address the Town’s desires for additional ground floor retail uses and provide greater opportunities for institutional uses.

Scot H. outlined that at the regular meeting of the Minturn Town Council on November 3, 2021, staff presented Ordinance No. 12, Series 2021 on first reading for Council review. The primary purpose of the ordinance is to amend certain sections of Chapter 16 - *Zoning*, of the Minturn Municipal Code to specifically address, define and clarify “Street Level” and second floor uses within the Old Town 100-Block Commercial Zone District; and, to add provisions for “Institutional” uses within existing zone districts. The zone districts affected by the ordinance include Grouse Creek Commercial Zone District, Old Town Commercial Zone District, Old Town Mixed-Use Zone District, Old Town 100-Block Commercial Zone District, and South Town Commercial Zone District.

During their regular meeting on the 3rd, the Council expressed concern with regard to several existing uses listed within Section 16-6-70, Old Town Character Area Use Table, and directed staff to further amend and revise the permitted and prohibited uses within the Old Town 100-Block Commercial Zone District.

Of note, staff removed provisions for “club” uses altogether in the 100-Block Commercial Zone District, while making clubs in the Old Town Commercial and Mixed Use zones “conditional” uses. Similarly, “Institutional” uses would now only be permitted on the second floor of a building within the Old Town Commercial Zone District and not permitted whatsoever in the Old Town 100-Block Commercial Zone District. Institutional uses would, however, be permitted in the Grouse Creek Commercial Zone District and the South Town Commercial Zone District.

Additionally, at the direction of Council, multi-family uses would no longer be permitted on the street level in the Old Town 100-Block Commercial Zone District, but would still be permitted on

the street level and/or second floor of a building in the Old Town Commercial Zone District as well as the Old Town Mixed Use Zone District. Other changes directed by Council included additional restrictions on, or prohibition of non-retail oriented businesses and uses within the Old Town 100-Block Commercial Zone District.

Public Hearing Opened
No Comment
Public Hearing Closed

Motion by Terry A., second by Gusty K., to approve Ordinance 12 – Series 2021 (Second Reading) An Ordinance Amending Chapter 16 to provide for the rezoning of the Grouse Creek Commercial Zone District, the Old Town Character Area, and the South Town Commercial Zone District to address the Town’s desires for additional ground floor retail uses and provide greater opportunities for institutional uses as amended. Motion passed 7-0.

3. Ordinance 13 – Series 2021 (Second Reading) An Ordinance Amending Chapter 18 to provide for additional notice, review, and site planning in the issuance of demolition permits – Richard Peterson-Cremer

Richard P-C reported the enclosed ordinance has been revised from first reading at the November 3 meeting to respond to Council comments and feedback. The ordinance at First Reading contains application, notice, and review requirements and procedures. To some extent, it codifies existing practice in the acceptance of demolition permits such as utility notifications and asbestos reports. However, there are some additional requirements included such as notice (sign posted on property) and an approved site plan depicting what will replace the structure. Another component is a surety to be deposited with the Town in an amount to cover any unfinished work should the applicant fail to complete the demolition.

The most notable changes from First Reading are:

- Requiring an approved DRB plan for the replacement of any commercially used structure in a commercial zone district, and a grading plan for any other structures.
- Providing exceptions for unsafe buildings that require immediate demolition for public safety under the International Property Maintenance Code.
- Exempting “sheds” from demolition permitting requirements. Sheds are defined and exempted from building permitting requirements in Chapter 16.
- Adding specific enforcement language for any violations.
- Notice period is lengthened from 7 to 10 days. We did not add certified mailing to the notice requirements as this will be burdensome for staff to govern.

Lynn F. asked regarding commercial buildings, Richard P-C stated they would need a replacement building approved prior to demolition.

Tom S. felt this should be heard by the Council rather than Planning Commission as the Council is elected. He also expressed concern that a historical building might not conform to current codes which might allow an owner to argue that it should come down for those reasons. Scot H. stated if the PC approves then it could be called up by Council.

Lynn F. stated she felt this should be most applicable to the 100 block. Michelle M. noted we are moving forward with definitions of historical buildings. She stated this starts with an inventory of buildings 50+ years of age throughout town.

Terry A. expressed that there are buildings throughout town that do need protection. Michelle M. noted how we have identified buildings in the recent past (5yrs) and we identified those that are unsafe and how those were mitigated.

Discussion ensued if a demo permit should be an auto callup. Michelle M. stated we could put Planning decisions on Demo permits on the agenda rather than the Consent Agenda. This way it would automatically be discussed. Concern that a developer could propose a building is so unsafe that it needs to be demolished.

Michelle M. reviewed the concerns and these will be addressed in the approved motion and Ordinance.

Public Hearing Opened
No Comment
Public Hearing Closed

Motion by George B., second by Terry A., to approve Ordinance 13 – Series 2021 (Second Reading) An Ordinance Amending Chapter 18 to provide for additional notice, review, and site planning in the issuance of demolition permits as amended. Motion passed 7-0.

4. Ordinance 14 – Series 2021 (Second Reading) An Ordinance extending the moratorium on the acceptance and processing of applications for design review, conditional use review, limited use review, or the processing and issuance of a business license for non-retail uses on the street level within the 100 Block Commercial Zone District of the Old Town Character Area. – Richard Peterson-Cremer

Richard P-C noted there were no changes from First Reading.

Public Hearing Opened
No Comment
Public Hearing Closed

Motion by Gusty K., second by George B., to approve Ordinance 14 – Series 2021 (Second Reading) An Ordinance extending the moratorium on the acceptance and processing of applications for design review, conditional use review, limited use review, or the processing and issuance of a business license for non-retail uses on the street level within the 100 Block Commercial Zone District of the Old Town Character Area as presented. Motion passed 7-0.

5. Ordinance 15 – Series 2021 (Second Reading) An Ordinance extending the moratorium on the acceptance and processing of applications for development permits authorizing demolition

within the 100 Block Commercial Zone District of the Old Town Character Area – Richard Peterson-Cremer

Richard P-C noted there were no changes from First Reading.

Public Hearing Opened
No Comment
Public Hearing Closed

Motion by Eric G., second by George B., to approve 15 – Series 2021 (Second Reading) An Ordinance extending the moratorium on the acceptance and processing of applications for development permits authorizing demolition within the 100 Block Commercial Zone District of the Old Town Character Area as presented. Motion passed 7-0.

6. Ordinance 16 – Series 2021 (First Reading) An Ordinance Creating a Supplemental Appropriation to the 2021 Town of Minturn Budget – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points. It was noted that Exhibit A reflects an overstatement for General Fund Expenses in the “Total” line. The amount stated is \$333,873 the amount supported by the detail totals \$329,373; the \$329,373 is the correct number. It was also stated these amounts are based on current estimates based on YTD October expenses and most likely will change as we narrow down to second reading.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by Terry A., second by George B., to approve Ordinance 16 – Series 2021 An ordinance amending the 2021 budget as set forth in the following Exhibit "A", to appropriate additional general fund revenues in the amount of \$621,511.00, and appropriating additional general fund expenditures in the amount of \$329,373.00, and appropriating additional enterprise fund revenues in the amount of \$1,000.00, and appropriating additional enterprise fund expenditures in the amount of \$291,050.00, and appropriating additional market fund revenues in the amount of \$5,600.00, and appropriating additional capital fund revenues in the amount of \$35,000.00, and appropriating additional scholarship fund revenues in the amount of \$18,000.00, and appropriating additional scholarship fund expenditures in the amount of \$1,336.00 as amended. Motion passed 7-0.

7. Ordinance 17 – Series 2021 (First Reading) An Ordinance Setting the 2022 General Property Tax Mill Levy for the Town of Minturn – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Discussion ensued as to the value of the railroad assessment, how those calculations are made by the County Assessor and the cost the services the town provides, namely policing. Michael S.

discussed that the property is taxed minimally but the businesses may be taxed differently.

Direction was for Jay B. to work with the County Assessor and report back to the Council on what can and could be done with the rented buildings on the Railroad and if those could be taxed differently since they are not specific to traditional railroad operations.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by Gusty K., second by Eric G., to approve Ordinance No. 17 - series 2021 (First Reading), an ordinance levying general property taxes for the year 2022, to meet general operating costs of government for the Town of Minturn, Colorado for the 2022 budget year as presented. Motion passed 7-0.

8. Ordinance 18 – Series 2021 (First Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2022 for the Town of Minturn – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Michelle M. stated some fees such as the ERFDP rates do not adjust until after the first of the year. She pointed out that the code allows for the Manager to make minor changes and asked if the Council desired this allowance for the ERFDP fees. Discussion ensued as to what other fees this might cover and if our current planning fees actually cover the true cost of a large development. Scot H. spoke to the changes that were made with the 2021 fee changes.

Direction was given for Michelle M. to handle interim increases such as this as outlined in the Municipal Code.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by George B., second by Gusty K., to approve Ordinance No. 18 - series 2021 (First Reading) an Ordinance annually setting, amending and approving town fees as set forth in the following attachment to be included in Appendix "A" of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2022 as presented. Motion passed 7-0.

9. Ordinance 19 – Series 2021 (First Reading) An Ordinance Adopting and Recognizing the Town of Minturn's 2022 Revenues and Expenses by Fund – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Public Hearing opened
No Public comment

Public Hearing closed

Motion by Gusty K., second by Eric G., to approve Ordinance No. 19 - series 2021 (First Reading) an Ordinance appropriating revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January, 2022 and ending on the last day of December, 2022 as presented. Motion passed 7-0.

DISCUSSION / DIRECTION ITEMS – 7:15 PM

1. Minturn North cost share options

Mr. Greg Sparhawk, project representative, introduced his team and spoke to their case. This project is being proposed in an area that is in great need of infrastructure improvements. There are many residents of Taylor that currently use the town's ROW for parking and their own use. Minturn Road and Taylor Street are currently in very bad condition and needing to be re-paved. The County Road frequently has potholes and ponds in it, yet the County has stated they feel it is currently in adequate shape. Initial discussions with CDOT identified that the turn lane intersection from HWY 24 onto County Road currently is a failing intersection and an existing safety hazard. Further, a large amount of parking, snow storage and pedestrian movement all currently occur on private Union Pacific Property. We as the developer are planning on paying for the initial installation of much needed infrastructure that our project, as well as the general public, will benefit from. A review of the traffic study shows that in 20 years our project will be responsible for 55% of the usage of these improvements; However, we are only asking the Town to cover 29% of the cost of improvements. We have included two spreadsheets that summarize how this percentage was determined as well as outline proposed shared expenses for off-site improvements. These costs will be further refined, but were developed with our Contractor so they should be fairly accurate. In December we will be presenting our intent for a Metro District. Given the high cost of the improvements and the Town's limited ability to immediately fund any large portions of the infrastructure, the Metro District concept will allow us to pay for the improvements up front and be reimbursed through cost recovery over time. We will be looking to be repaid on the Town's portion through cost recovery utilizing Use Tax. Mr. Sawyer has spoken to the limitations on this and we hope to be able to make further headway on an equitable solution.

Michelle M. noted that tap fees will be paid in advance and clarified other questions based on development projections and discussion ensued between the parties. Concern was expressed that the expectations were too optimistic.

Tom S. stated he was surprised the developer was asking for the town to undertake the risk involved in moving the project forward. He felt it was too excessive of risk and concerned the town would have a half-finished road and an unfinished project and the town responsible for putting the roads back in use at our cost.

Michael S. stated the town cannot make binding financial promises over multiple years without financially binding the town as laid out in TABOR. He stated however that we could promise a percentage of the annual use tax collected from the project and pay that on an annual basis. This would protect the town from a suite by the developer if those revenues were insufficient according

to their expectations. Mr. Sparhawk stated if the developer was expected to cover these offsite costs, they would need assistance. Tom S. was concerned there was a lack of trust in the developer and the high expectations; Mr. Sparhawk stated this project is going to have a higher level of oversight that would reduce the risk on the town.

Michael S. stated in other projects in other communities the developer would set up a Metro District which the residents within the District would cover the costs of the bonds. Terry S. stated she anticipated the town would be asked to participate but didn't know at what level. She asked if there were any other assurances the town could look to in addition to a Metro Dist? Discussion ensued as to how the town would not be liable for the costs should the developer or Metro Dist. default. Michael S. stated this would be done by a Letter of Credit of 125% of the total cost.

Terry A. asked how the town would pay, would we pay the developer? The developer would receive the money based on the agreed formula. She stated she was not comfortable not having oversight with the construction process/project bid. Tom S. asked if this cost share has been discussed before or is this new? The Council stated they didn't have this until very recently. He stated he was very concerned with paying for the developer's roads. He was not convinced to pay 30% of the cost. He stated the town does not have the resources to pick this up if the development fails. In discussion Michael S. stated that by annually pledging a percent of the actual and collected Use Tax then it is based on funds we would currently have.

Michelle M. noted this was a discussion item only and Staff has direction.

STAFF REPORTS – 8:00 PM

1. Town Manager Update

Michelle M. presented the Quarterly Report which highlighted each department and stood for questions.

It was asked to see the value of police services provided on the RR site and at the specific commercial entities.

FUTURE AGENDA ITEMS – 8:15 PM

- a) Water tank discussion – December 1
- b) Car idling Ord

EXECUTIVE SESSION – 8:20 PM

- 1. Executive Session pursuant to C.R.S. § CRS 24-6-402(4)(b) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS 24-6-402(4)(e) – Eagle River Water and Sanitation District, Battle Mountain, Water Court application, and request to adjourn the regular meeting at its conclusion.

Motion by George B., Second by Gusty K., to convene in Executive Session pursuant to C.R.S. § CRS

24-6-402(4)(b) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS 24-6-402(4)(e) – Eagle River Water and Sanitation District, Battle Mountain, Water Court application, and request to adjourn the regular meeting at its conclusion as presented. Motion passed 7-0.

Direction given as a result of the Executive Session:

Council directs staff to undertake such actions as are necessary to preserve the Town’s claims against Battle Mountain under the various agreements between the Town and Battle Mountain from the effects of the statute of limitations including filing a complaint or entering into a tolling agreement together with the authority to set up a mediation with Battle Mountain with the requirement that Battle Mountain pay the mediator’s fees and costs.

Note: Tom S. left the meeting at 10:30 at the end of the Executive Session

ADJOURN

Motion by Gusty K., second by Terry A., to adjourn at 10:45pm. Motion passed 6-0. Note: Tom S. was excused absent.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

INFORMATIONAL ONLY ITEMS

- a) Council Meetings:
- December 1, 2021
 - December 15, 2021
 - January 5, 2022
 - January 19, 2022



To: Mayor and Council
From: Jay Brunvand
Date: December 1, 2021
Agenda Item: Ordinance 16 – Series 2021

REQUEST:

Council is asked to approve Ordinance 16 – Series 2021 (Second Reading).

INTRODUCTION:

This is an annual Ordinance to account for various increases in revenues and expenditures which are anticipated to exceed their original budget. Each change in Exhibit “A” is listed in fund order showing the increased amount and the revised total budgeted amount.

ANALYSIS:

This Ordinance takes into account only those items which are anticipated to exceed their original line item budget. Revenues which exceed their original budget indicates additional revenue. In order to properly recognize and utilize this surplus, we must include it in the budget. In order to properly account for and access spending in expenses which exceed their budgeted line we must be increased. This supplemental appropriation only increases revenue and expenses, it does not un-appropriate funds which will not exceed. This means the Ordinance and action requested only addressed excess revenue and expense, it does not address items that will be under budget. This may give a false view that we are over spending the budget when in fact we do have the funds on hand and in many cases the expense was appropriated by prior council action.

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance is formal documentation of additional income received and expenses made throughout the FY2021. The impact to the budget is very real and very necessary to include as an update to the originally approved FY2021 budget in order to be in compliance with and prepared for our annual audit.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

An ordinance amending the 2021 budget as set forth in the following Exhibit “A”, to appropriate additional General Fund revenues in the amount of \$671,011.00, and appropriating additional General Fund expenditures in the amount of \$477,573.00, and appropriating additional Enterprise Fund

revenues in the amount of \$144,898.00, and appropriating additional Enterprise Fund expenditures in the amount of \$292,550.00, and appropriating additional Market Fund revenues in the amount of \$5,600.00, and Capital Fund revenues in the amount of \$35,000, and appropriating additional Scholarship Fund revenues in the amount of \$18,000.00, and appropriating additional Scholarship Fund expenditures in the amount of \$1,336.00.

ATTACHMENTS:

- Ordinance 16 – Series 2021

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 16 – SERIES 2021**

AN ORDINANCE AMENDING THE 2021 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT “A”, TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$671,011.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$477,573.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$144,898.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$292,550.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUES IN THE AMOUNT OF \$5,600.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND REVENUES IN THE AMOUNT OF \$35,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$18,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND EXPENDITURES IN THE AMOUNT OF \$1,336.00.

WHEREAS, in accordance with Section 8.8 of the Minturn Home Rule Charter the Council may make additional appropriations by ordinance during the fiscal year, and;

WHEREAS, Jay Brunvand, Treasurer, has verified that additional funds are available for appropriations in each fund from actual and anticipated revenues of the current year and prior year cash reserves, and;

WHEREAS, the Town Council is advised that certain revenues, expenditures and transfers must be approved by ordinance.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1.

Upon the Town Manager’s verification that there are current year revenues available for appropriation in the General Fund, Enterprise Fund, Conservation Trust Fund, Building Fund, Marketing Fund, Capital Fund, Scholarship Fund, and Battle Mountain Resort Fund and un-appropriated prior year cash balance available in one or more of those funds, the Town Council hereby makes supplemental appropriations as specified in attached Exhibit “A”.

Section 2.

The Town Council hereby authorizes and directs the Town Manager to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby amended in accordance with the requirements of the Home Rule Charter and the Town’s Financial Policies.

Section 3.

The adoption of this Ordinance will promote the health, safety and general welfare of the Minturn community.

Section 4.

If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

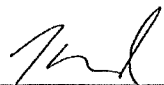
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1st DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

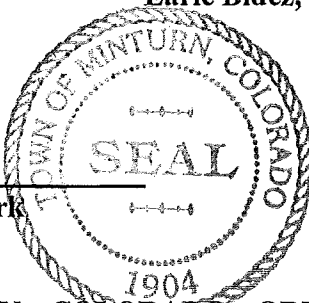


Earle Bidez, Mayor

ATTEST:

By: 

Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1st DAY OF DECEMBER, 2021.

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

**ORDINANCE 16 – SERIES 2021
EXHIBIT “A”**

GENERAL FUND:		Addition	Revised Budget
Additional Revenue	\$ 621,511,000 <u>671,011</u>		
<u>Property Tax</u>	<u>01-00-4010</u>	<u>1,000</u>	<u>549,512</u>
City Sales Tax	01-00-4050	340,000	1,058,000
Hwy User Tax	01-00-4052	7,000	42,044
<u>Building Permits</u>	<u>01-00-4210</u>	<u>50,000</u>	<u>90,000</u>
Exterior Energy Cr	01-00-4215	10,752	10,752
Liquor License Fees	01-00-4230	1,750	3,250
Business License Fee	01-00-4240	2,000	22,000
Planning and Zoning Fees	01-00-4250	130,000	150,000
Town Hall Rent	01-00-4511	1,300	2,300
ERFPD Impact Fee	01-00-4512	3,342	3,342
Snow Dump	01-00-4519	6,500	6,500
Land Lease-Chards Yard	01-00-4524	3,000 <u>1,500</u>	12,000 <u>10,500</u>
Grants-COVID	01-00-4562	35,045	35,045
BMR	01-00-4575	22,822	22,822
RETT	01-00-4680	58,000	208,000
 Additional Expense	\$ 329,373,000 <u>477,573</u>		
Pur Serv-Comm Cont	01-01-5271	27,808	27,808
<u>Utilities</u>	<u>01-01-5210</u>	<u>3,000</u>	<u>21,500</u>
Legal & Professional	01-01-5220	150,000 <u>180,000</u>	227,500 <u>257,500</u>
Engineering	01-01-5221	50,000 <u>158,000</u>	110,000 <u>218,000</u>
EC Treasurers fee	01-01-5236	500	12,000
ERFPD Impact Fees	01-01-5240	3,142	3,142
COVID	01-01-5293	69,500 <u>76,700</u>	69,500 <u>76,700</u>
Planner Office	01-02-5110	55	455
Minturn Fitness Center	01-06-5354	6,500	6,500
Grants	01-09-8007	21,868	21,868
 ENTERPRISE FUND:			
Additional Revenue	\$ 1,000,000 <u>144,898</u>		
Meters	02-00-4240	1,000	1,000
<u>Grants-ARP Funds</u>	<u>02-00-4566</u>	<u>143,898</u>	<u>143,898</u>
 Additional Expense	\$ 291,050,000 <u>292,550</u>		
<u>Office/Lab</u>	<u>02-06-5100</u>	<u>1,500</u>	<u>16,500</u>
Legal	02-06-5220	110,000	170,000
Engineering	02-06-5247	175,000	325,000
Uniform	02-06-5271	1,750	2,750
Equipment R&M	01-06-5291	4,000	10,000
Mosquito Control	02-07-6001	300	4,300
 CONSERVATION TRUST FUND:			
Additional Revenue	\$ 0,00		
Additional Expense	\$ 0.00		
 BUILDING FUND:			
Additional Revenue	\$ 0,00		
Additional Expense	\$ 0.00		

MARKET FUND:			
Additional Revenue	\$ 5,600.00		
Sponsorship	05-00-4592	5,600	5,600
Additional Expense	\$ 0.00		
CAPITAL FUND:			
Additional Revenue	\$ 35,000.00		
Use Tax	06-00-4000	35,000	135,000
Additional Expense	\$ 0.00		
GID FUND:			
Additional Revenue	\$ 0.00		
Additional Expense	\$ 0.00		
SCHOLARSHIP FUND:			
Additional Revenue	\$ 18,000.00		
Investment Earn	08-00-4540	18,000	18,000
Additional Expense	\$ 1,336.00		
Scholarship Awards	02-00-4240	1,336	1,336
BATTLE MOUNTAIN RESORT FUND:			
Additional Revenue	\$ 0.00		
Additional Expense	\$ 0.00		

TOWN OF MINTURN, COLORADO ORDINANCE NO. 12 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 16 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR THE REZONING OF THE GROUSE CREEK COMMERCIAL ZONE DISTRICT, THE OLD TOWN CHARACTER AREA, AND THE SOUTH TOWN COMMERCIAL ZONE DISTRICT.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 13 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR additional notice, review, and site planning requirements IN THE REVIEW OF DEMOLITION PERMITS.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 14 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING AND EXTENDING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DESIGN REVIEW, CONDITIONAL USE REVIEW, LIMITED USE REVIEW OR THE PROCESSING AND ISSUANCE OF A BUSINESS LICENSE FOR NON-RETAIL AND NON-COMMERCIAL ACCOMMODATIONS USES ON THE STREET LEVEL WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 15 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DEMOLITION PERMITS WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 16 – SERIES 2021
AN ORDINANCE AMENDING THE 2021 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT "A" TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$621,511.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$329,373.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$1,000.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$291,050.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUES IN THE AMOUNT OF \$5,600.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND REVENUES IN THE AMOUNT OF \$35,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$18,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND EXPENDITURES IN THE AMOUNT OF \$1,336.00.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1st DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 17 – SERIES 2021
AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2022 BUDGET YEAR.
READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 18 – SERIES 2021
AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX "A" OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2022.
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 19 – SERIES 2021
AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 20 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO PROHIBITING THE SALE OF DOGS AND CATS FROM RETAIL PET STORES LOCATED WITHIN THE TOWN OF MINTURN OF WHICH THE ANIMALS ARE BRED OR PROVIDED BY A PUPPY OR CAT MILL.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SUNDAY, NOVEMBER 21, 2021.



To: Mayor and Council
From: Jay Brunvand
Date: November 23, 2021
Agenda Item: Ordinance 17 – Series 2021

REQUEST:

Council is asked to approve Ordinance 17 – Series 2021 (Second Reading).

INTRODUCTION:

This is an annual Ordinance setting forth and approving the Fiscal Year 2021 mill levy on Second Reading.

ANALYSIS:

This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. Our mill levy was set at 17.934 mills in 2000 allowing us to collect, spend, or save all revenue generated based on the county assessment. These funds flow into the General Fund as a major source of revenue to meet our budgeted needs. The mill levy collection of property tax makes up 29% of Minturn's annual General Fund revenues.

After First reading the final Assessed Valuation came in from the County. The overall effect was a reduction in revenue in the amount of \$2,133

Minturn's 2022 Proposed General Fund Spending = \$2,448,818
Minturn's 2022 proposed spending over all funds = \$4.5million (excluding water tank construction)
Minturn's 2022 increase in sales tax over 2020 = 16%
Minturn's 2022 share of town revenue from Sales Tax = 39%

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance formally sets the town mill levy at our allowed 17.934 mills for the following year and is a major source of revenue for the town's General Fund.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve ordinance no. 17 – series 2021 (Second Reading), an ordinance levying general property taxes for the year 2022, to meet general operating costs of government for the Town of Minturn, Colorado for the 2022 budget year.

ATTACHMENTS:

- Ordinance 17 – Series 2021

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 17 – SERIES 2021**

AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2022 BUDGET YEAR.

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado will adopt the annual budget for Fiscal Year 2022 in accordance with Local and State Government Budget Law, on December 3, 2021, and;

WHEREAS, the assessed valuation for the Town of Minturn, Colorado as certified by the Eagle County Assessor is approximately ~~\$33,041,640.00~~\$32,922,710.00 and will generate approximately ~~\$592,569.00~~\$590,436.00 based on the authorized 17.934 mills of the Town of Minturn, and;

WHEREAS, at General Election on November 3, 1998, the citizens of Minturn, Colorado have established the Town Mill Levy at 17.9340 mills in accordance with Article X, Section 20 of the Colorado Constitution, and;

WHEREAS, the final assessed valuation for the fiscal year 2022 will be available by December 3, 2021 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1. That for the purpose of meeting general operating expenses of the Town of Minturn during the 2022 budget year, there is hereby levied a tax of 17.934 mills upon each dollar of the total valuation for assessment of all taxable property with in the Town of Minturn for the 2022 budget year. This assessment of 17.934 mills shall be duly made by the County of Eagle, State of Colorado, as directed by the Colorado Revised Statutes (as amended), and as otherwise required by law.

Section 2. The Minturn Town Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Minturn, Colorado as here in above determined and set.

Section 3. The Minturn Town Council hereby finds, determines, and declares that this ordinance is necessary and proper for the health, safety, and welfare of the Town on Minturn, Colorado and the inhabitants thereof.

Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections sentences, clauses or phrases be declared invalid.


INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

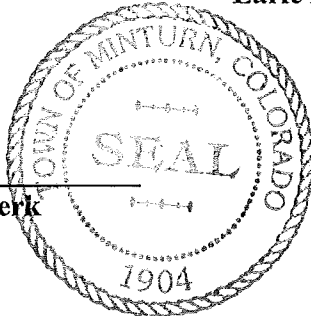
TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 3rd DAY OF DECEMBER, 2021.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

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Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 14 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING AND EXTENDING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DESIGN REVIEW, CONDITIONAL USE REVIEW, LIMITED USE REVIEW OR THE PROCESSING AND ISSUANCE OF A BUSINESS LICENSE FOR NON-RETAIL AND NON-COMMERCIAL ACCOMMODATIONS USES ON THE STREET LEVEL WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA
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TOWN OF MINTURN, COLORADO

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ATTEST:
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
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TOWN OF MINTURN, COLORADO ORDINANCE NO. 16 – SERIES 2021
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 17 – SERIES 2021
AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2022 BUDGET YEAR.
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Earle Bidez, Mayor
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Jay Brunvand, Town Clerk

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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
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AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

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AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO PROHIBITING THE SALE OF DOGS AND CATS FROM RETAIL PET STORES LOCATED WITHIN THE TOWN OF MINTURN OF WHICH THE ANIMALS ARE BRED OR PROVIDED BY A PUPPY OR CAT MILL
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SUNDAY, NOVEMBER 21, 2021.



To: Mayor and Council
From: Jay Brunvand
Date: December 1, 2021
Agenda Item: Ordinance 18 – Series 2021

REQUEST:

Council is asked to approve Ordinance 18 – Series 2021 on Second Reading.

INTRODUCTION:

This is an annual Ordinance setting forth and approving the various fees proposed for Fiscal Year 2021 on First Reading. The Town Municipal Code has many fees cited in various areas of the Code. This Ordinance combines those fees into one document. It is important to note that in the event a fee conflicts with the Code, the Code will prevail.

ANALYSIS:

This is an annual ordinance approved by Council to establish the annual fee schedule and any proposed fee increases. The fee schedule has been discussed in previous meetings with Council and each department, changes to the fees are reflected in the schedule. All fees will go into effect on January 1, 2022.

During the discussion on First Reading Council asked how many hours Planner Scot Hunn has worked on the submittals. He has stated he worked 150-200 hours over the past two years. It is also clarified that Town Staff and Scot H. are not applied against the cash deposits; however, all other contractors are such as attorney and engineers. There have been minor modifications on page 3 and 4 of the Fee Schedule based on discussion from First Reading, those changes are marked in red. Staff is recommending approval on Second Reading.

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance formally sets the town fee schedule as laid forth in the Minturn Municipal Code and is a major source of revenue for the town's various funds. It is important to note that the fees are set administratively and are allowed by law to change year to year as necessary; whereas, a tax, such as the town's mill levy, is set by the voters and can only change via a formal election of the citizens.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Ordinance No. 18 – series 2021 (Second Reading) an Ordinance annually setting, amending and approving town fees as set forth in the following attachment to be included in Appendix “A” of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2022 as presented.

ATTACHMENTS:

- Ordinance 18– Series 2021

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 18 – SERIES 2021**

AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2022

WHEREAS, The Town of Minturn reviews and approves such fees by ordinance annually and as necessary, and;

WHEREAS, The fee schedule is available for review during regular business hours at the Town Offices as well as the Official Town Website.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:

Section 1.

The following fees and deposits are hereby set as set forth or added in Appendix “A” is adopted.

Section 2.

In the event of a conflict between the fees, rates and charges listed in this Appendix A and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections sentences, clauses or phrases be declared invalid.

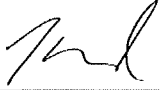
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

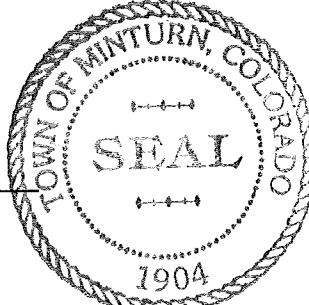


Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 3rd DAY OF DECEMBER, 2021.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Fees, Rates, and Charges Imposed Pursuant to the Minturn Town Code

ITEM	DESCRIPTION	FEE 2021	OTHER	2022 Amount if Revised
General Government				
Administration				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
Open Records Request				
Attorney-Administrative Description	per hour, minimum 1hr after first hour in 15min increments	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr after first hour in 15min increments	\$30.00		\$33.58
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale	1%		
Lodging Tax		1.5%		
Sales Tax - City		4%		
Use Tax - Construction		4%		
Credit Card Fee	For charges in excess of \$500	3%		
Meeting Room Fees				
	Deposit may be required			
Set-Up Fee	Used in Special circumstances. Will generally only use the space for Town related business or for Town partners. Will generally require they set up on their own.	\$50.00		
Flip Chart and Easel		\$25.00		
LCD Projector/screen		\$100.00		
Sound System/Microphones		\$75.00		
Full Room with Kitchen		\$300.00		
Full Room Without Kitchen		\$200.00		
Cleaning Deposit	Based on actual cost	\$250.00		
Little Beach Park				
Minturn Resident		\$150/block \$250/day		
Non Profit		\$50/\$100		
Non Resident		\$200/block \$300/day		
Business Licenses:				
Initial License Fee		\$120.00		
	Prorated at \$10/month			
Business License Fee	(Due 4/1-3/31)	\$120.00		
In-Home License Fee		\$36.00		
Home Business License-Renewal	(Major household income)	\$120.00		
Outdoor Recreation License		\$120.00		
Short Term Rental License		\$300.00		
Snow Plow Business		\$120.00		
Each additional vehicle		\$12.00		
Peddler or Solicitor:				
License Fees				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		
30 Days consecutively		\$240.00		
Annual License	(Due 4/1)	\$240.00		
Contractor:				
Annual License Fee - General	Valid for 3yrs	\$240.00		
Business List Print Fee		\$40.00		

ITEM	DESCRIPTION	FEE 2021	OTHER	2022 Amount if Revised
MISCELLANEOUS FEES		Set administratively to cover the cost of services.		
Professional Use Fee	Inc use of town Eng, Lawyer, etc	Cost + 20%		
LIQUOR LICENSE APP FEES	All fees as set by State			
PUBLIC SAFETY				
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office			
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per individual	\$10.00		
Court Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines		per Judge		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		
Community Service Fee		\$25.00		
MINTURN BIKE PARK				
Programs-fee based	less than 4hrs/14ppl			\$100.00
Programs-fee based	more than 4hrs/14ppl			\$200.00
Exclusive Use for camp or clinic	less than 4hrs/14ppl			\$250.00
Exclusive Use for camp or clinic	more than 4hrs/14ppl			\$500.00
PUBLIC WORKS				
SNOW DUMP-TANDEM		\$50.00		
SNOW DUMP-END DUMP		\$90.00		
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$7.81		
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit plus Tier fee per sq foot floor		Tap Fee \$5,441 SIF Tier 1 \$4.47/spft SIF Tier 2 \$5.64/sqft SIF Tier 2 \$6.79/sqft		Tap Fee \$5,604 SIF Tier 1 \$4.60/spft SIF Tier 2 \$5.81/sqft SIF Tier 2 \$6.99/sqft
Accessory Dwelling Unit (>750sf)	.5sfe	\$4.47/sf		\$4.60
Cash in Lieu of Water		\$12,324.85		\$12,694.60
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$3,937.50		\$4,055.65
(b) per room		\$2,887.50		\$2,794.13
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches: Set to equal ERWSD rates		Cost per Tap		
	3/4in (1.5 SFE)	\$17,320.00		\$17,840.00
	1in (2.6 SFE)	\$30,017.00		\$30,918.00
	1in 1/2 (5.8 SFE)	\$66,964.00		\$68,973.00
	2un (10.3 SFE)	\$122,068.00		\$125,730.00
	3in (23.0 SFE)	\$267,875.00		\$275,911.00
	4in (40.9 SFE)	\$472,210.00		\$486,376.00
	6in (92.1 SFE)	\$1,063,340.00		\$1,095,240.00
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction purposes	per month flat fee plus use	\$100.00		
Portable meter fee		\$100.00		
Portable meter water use	\$5.00/1000 gal	\$10.00/1000 gal		
Portable meter deposit or lost meter cost		\$1,750.00		

ITEM	DESCRIPTION	FEE 2021	OTHER	2022 Amount if Revised
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-67			
Monthly rate per SFE for	Residential	\$113.02	Base + 25%	\$118.66
Policy related to other uses	Commercial	\$113.02	Base + 25%	\$115.66
Replaces Sec. 13-29(b)(2)	Residential out of Town	\$135.62	Base + 50%	\$142.40
	Commercial out of Town	\$158.22	Base + 75%	\$166.13
	Seniors-Grandfathered (65 years or older)	\$84.77	Base -25%	
Metered Water Rate	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$90.41		
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$6.83		
(b) Commercial, basic monthly charge	per SFE	\$90.41		
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$6.83		
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$67.81		
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$135.62		
IRRIGATION USAGE RATES (NO STRUCTURE)		SPRINKLER USAGE RATES		
SFE factor based on meter size/kgal		(SFE based on associated structure)/kgal		
Tier 1 (0-8)	10.24	Tier 1 (0-20)	10.24	
Tier 2 (8-16)	15.36	Tier 2 (21-30)	15.36	
Tier 3 (16-24)	23.05	Tier 3 (31-40)	23.05	
Tier 4 (24-32)	34.58	Tier 4 (more than 40)	34.58	
Tier 5 (more than 32)	51.86			
Street Cut Fee				
Basic permit fee	Performance Bond may Required	\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
Application for Encroachment	Sec. 11-3	\$40.00		
Encroachment Fee		\$16sqft annually		
Eagle River Fire Protection District Impact Fees*				
new meter size:	3/4 inch	\$1,671.00		\$1,701.00
	1 inch	\$2,841.00		\$2,892.00
	1.5 inch	\$5,515.00		\$5,614.00
	2 inch	\$8,857.00		\$9,016.00
	3 inch	\$18,382.00		\$18,713.00
	4 inch	\$28,409.00		\$28,920.00
	6 inch	\$55,147.00		\$56,140.00

*Fees may be increased administratively to adjust for inflation. MMC Sec. 18-16-110

ITEM	2021 FEE	DETAIL
PUD Applications		
Pre-Application Conference		
PUD Concept Plan	\$850 + \$40/Unit + \$5,000 Deposit	Unit price increased from \$25 to \$40 each
PUD Preliminary Development Plan	\$2500 + \$40/Unit + \$5,000 Deposit	Unit price increased from \$25 to \$40 each
PUD Final Development Plan	\$1500 + \$40/Unit + \$5,000 Deposit	Unit price increased from \$25 to \$40 each
Minor PUD Concept/Preliminary Development Plan	\$1000 + \$40/Unit + \$5,000 Deposit	Unit price increased from \$25 to \$40 each
Changes to Approved PUD Plans-		
(Minor) Approved by Planning Director	\$350 + \$1,000 Deposit	
(Minor) Approved by Planning Commission	\$500 + \$25/Additional Units + \$1,000 Deposit	
(Major) Approved by Town Council	\$1000 + \$25/Additional Units + \$5,000 Deposit	
Subdivision Application		
Administrative Replat	\$500 + Cost	
Correction Plat	\$350 + Cost	
Preliminary Subdivision Plat	\$1500 + 25/Lot + \$5,000 Deposit	
Final Subdivision Plat	\$1000 + 25/Lot + \$3,000 Deposit	
Minor Subdivision		
Amended Final Plat	\$650 + Cost	
Minor Type A Subdivision	\$850 + Cost	
Minor Type B Subdivision	\$850 + Cost	
Miscellaneous		
Annexation	\$5,000 + \$10,000 Deposit	
Disconnect/De-Annexation	\$3,000 plus associated costs	
Amendments To Text of Land Use Regulations	\$1,750 + Cost	
Amendments To Official Zone District Map	\$1,000 + Cost	
Conditional Use Permit Application	\$800 + Cost	
Limited Use Review	\$450 + Cost	
Temporary Use Permit	\$425 + Cost	
Temporary Use Permit Security Deposit	TBD on Per Case Basis	
Variance	\$575 + Cost	
Vacation of Public Easements and ROW	\$750 + Cost	
Sign Permit	\$60 + 1.50/Sq. Ft.	
Design Review Board		
Major Design Review Application	\$200	
Minor Design Review Application	\$75	
Special Planning Commission meeting	\$500 + Cost	
Appeal - Planning Commission or Town Council	\$300 + Cost	
Professional Review - Single structure project < 1 acre		
Multiple structure projects or projects 1 to 3 acre		
Building Permits new construction - based on valuation:**		
\$1.00 to \$500.00		
\$501.00 to \$2,000.00		\$3.87 for each additional \$100 valuation over \$500.00
\$2,001.00 to \$25,000		\$17.78 for each additional \$1,000 valuation over \$2,000
\$25,001.00 to \$50,000		\$12.83 for each additional \$1,000 valuation over \$25,000
\$50,001.00 to \$100,000.00		\$8.89 for each additional \$1,000 valuation over \$50,000
\$100,001.00 to \$500,000.00		\$7.11 for each additional \$1,000 valuation over \$100,000
\$500,001.00 to \$1,000,000.00		\$6.03 for each additional \$1,000 valuation over \$500,000
\$1,000,001.00 and up		\$4.64 for each additional \$1,000 valuation over \$1,000,000
Construction without a permit		Purchase of Building Permit plus Fine of 75-100% value of permit to be determined by Town
Single item permits ex: re-roofing, basement finish, mechanical, plumbing		\$75 for each additional inspection - to be determined by building official
Plan Review		65% of permit fee
Cleanup Deposit		
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater

Application Review Deposit:

Deposits are required to cover staff and consultant time attributable to a particular land use application review, meeting attendance, and phone consultations over and above the minimum application fee required for the application. **Applicant will bear the burden of all staff & consultant costs above and beyond the first staff member.** For multi-step applications (e.g. PUD Concept, PUD Preliminary Plan, PUD Final Plan) any unused deposit amounts from one application may be applied toward the next application. Minimum deposit balances for each land use application type must be maintained or replenished upon notice by the Town.

Costs:

Costs attributable to the review by consultant, **and additional staff** time, are billed at actual hourly rates. Cost assessed after first hour.

Temporary Use Permit Security Deposit:

Security deposit amounts for the cleanup or restoration following the termination of an approved temporary use are determined by the Planning Director on a case by case basis dependent on the intensity, scope, timing, and location of the use; and, upon the intensity, scope, timing, and location of the anticipated mitigation needed to return the unit, site, or area to its pre-permit condition.

** Valuation is based upon the national average per/square foot construction cost published semi-annually by the International Code Council, with a 1.4 multiplier applied as a regional cost differential.

Other:

*For all applications requiring legal descriptions to be published in the newspaper, additional fees will be charged on a per cost basis, for publications that are in excess of \$50

*Review fees charged by a state or federal agency shall be made payable to the reviewing agency based on current rates and paid at the time of application.

*No application shall be considered or reviewed until the application fees are paid in full and the application is deemed complete. Where multiple applications are required, multiple fees shall be assessed. Fees are not required for Town-initiated applications.

*Application fees shall be paid by cash or by a check made payable to the Town of Minturn, and shall be submitted with the application to the Town of Minturn Planning Department.

*Additional Town Staff services may be billed at an hourly rate as deemed necessary.

TOWN OF MINTURN, COLORADO ORDINANCE NO. 12 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR THE REZONING OF THE GROUSE CREEK COMMERCIAL ZONE DISTRICT, THE OLD TOWN CHARACTER AREA, AND THE SOUTH TOWN COMMERCIAL ZONE DISTRICT.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 13 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR additional notice, review, and site planning requirements IN THE REVIEW OF DEMOLITION PERMITS.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 14 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING AND EXTENDING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DESIGN REVIEW, CONDITIONAL USE REVIEW, LIMITED USE REVIEW OR THE PROCESSING AND ISSUANCE OF A BUSINESS LICENSE FOR NON-RETAIL AND NON-COMMERCIAL ACCOMMODATIONS USES ON THE STREET LEVEL WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 15 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DEMOLITION PERMITS WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF NOVEMBER, 2021.
TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 16 – SERIES 2021
AN ORDINANCE AMENDING THE 2021 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT "A" TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$621,511.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$329,373.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$1,000.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$291,050.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUES IN THE AMOUNT OF \$5,600.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND REVENUES IN THE AMOUNT OF \$35,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$18,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND EXPENDITURES IN THE AMOUNT OF \$1,336.00.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1st DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 17 – SERIES 2021
AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2022 BUDGET YEAR.
READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 18 – SERIES 2021
AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX "A" OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2022.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 19 – SERIES 2021
AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 20 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO PROHIBITING THE SALE OF DOGS AND CATS FROM RETAIL PET STORES LOCATED WITHIN THE TOWN OF MINTURN OF WHICH THE ANIMALS ARE BRED OR PROVIDED BY A PUPPY OR CAT MILL.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SUNDAY, NOVEMBER 21, 2021.



To: Mayor and Council
From: Jay Brunvand
Date: December 1, 2021
Agenda Item: Ordinance 19 – Series 2021

REQUEST:

Council is asked to approve Ordinance 19 – Series 2021 on Second Reading.

INTRODUCTION:

This is an annual Ordinance appropriating all beginning fund balances, revenues, and expenses in each fund and adopting the FY2021 budget.

Based on discussion at the 11/4/20 Council Meeting I have added \$40,000 for estimated expenses on the Community Plan. This will be a budget item in 2022 as well.

ANALYSIS:

This is an annual ordinance reports, allocates, and appropriates the beginning fund balance, all anticipated revenues, and all anticipated expenses for each fund as detailed in the budget document. To date all changes to the preliminary budget accepted at the first meeting in October 2021 have been assimilated into these final numbers. Council will receive a final budget shortly after second reading in December which will reflect the budget as approved by this Ordinance.

Minor changes have been made from First Reading:

- 1) After review of the year-to-date sales tax for 2021, I have revised the Sales Tax number upwards by \$35,000. I based this on the revised estimate for 2021 and the fact that we have been growing almost exponentially over the past several years. By increasing the budget now, we will recognize this growth and give a clearer picture of our anticipated revenue.
- 2) During discussion at First Reading questions were asked regarding the Railroad property, specifically the motel and restaurant. I contacted the County Assessor and was told the restaurant is taxed as a commercial entity similar to other like establishments in town and has for a number of years. Secondly, the hotel currently is taxed at the lower Railroad rate. Upon discussion they have agreed to review the property and the law since it is operated by a secondary contract for rental housing on a for-profit basis. This review may also involve the other leased buildings on the parcel. I will continue to keep Council updated as needed.

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance represents the formal funding mechanism per State law in the budget approval process.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Ordinance No. 19 – series 2021 (Second Reading) an Ordinance appropriating revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January, 2022 and ending on the last day of December, 2022.

ATTACHMENTS:

- Ordinance 19 – Series 2021

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 19 – SERIES 2021**

AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022.

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado has appointed Jay Brunvand, Treasurer, to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Jay Brunvand, Treasurer, has submitted a proposed 2022 Budget to this governing body on October 6, 2021, for its consideration, and;

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public as required by law at the Minturn Town Center, a public hearing was scheduled and held on November 3, 2021 and interested citizens were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, this proposed budget balances by fund as required by law, and;

WHEREAS, the final assessed valuation will be available by December 1, 2021 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1.

The budget for the Town of Minturn, Colorado for the fiscal year 2022 as submitted and summarized by fund as described below is hereby adopted, which adoption shall constitute appropriations of the amounts specified therein as revenues and expenditures from the Funds indicated; and that the estimated Beginning Balances, Revenues and Other Sources are hereby declared to be a reasonable projection of the amount of Revenue available for appropriation and to provide an adequate Fund Balance at the close of the fiscal year beginning January 1, 2022 and ending December 31, 2022 more particularly described as follows:

FUND DESCRIPTION	BEGINNING FUND EST. BALANCE	FY2022 REVENUE	FY20221 EXPENSES
General Fund	\$1,835,455	\$2,478,326	\$2,448,818
Enterprise Fund	\$4,111,475	\$1,591,057	\$4,585,579
Conservation Trust Fund	\$ 36,052	\$ 10,400	\$ 15,000
Minturn Building Fund	\$ 9,512	\$ 10,000	\$ 10,000
Market Fund	\$ 6,500	\$ 37,000	\$ 37,000
Capital Fund	\$ 445,717	\$ 200,723	\$ 568,000
Scholarship Fund	\$ 320,613	\$ 10,000	\$ 7,100
Battle Mtn Fund	\$ 76,631	\$ 102,500	\$ 100,000

Section 2.

The Town Council hereby authorizes and directs the Town Manager and Treasurer to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby adopted all in accordance with the requirements of the Home Rule Charter and the Town's Financial Policies.

Section 3.

The budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Minturn, Colorado.

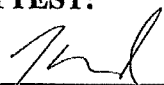
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

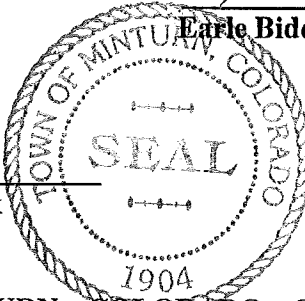


Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF DECEMBER, 2021.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 12 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR THE REZONING OF THE GHOUSE CREEK COMMERCIAL ZONE DISTRICT, THE OLD TOWN CHARACTER AREA, AND THE SOUTH TOWN COMMERCIAL ZONE DISTRICT.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 13 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR additional notice, review, and site planning requirements IN THE REVIEW OF DEMOLITION PERMITS.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 14 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING AND EXTENDING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DESIGN REVIEW, CONDITIONAL USE REVIEW, LIMITED USE REVIEW OR THE PROCESSING AND ISSUANCE OF A BUSINESS LICENSE FOR NON-RETAIL AND NON-COMMERCIAL ACCOMODATIONS USES ON THE STREET LEVEL WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 15 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DEMOLITION PERMITS WITHIN THE 100 BLOCK COMMERCIAL ZONE OF THE OLD TOWN CHARACTER AREA.
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TOWN OF MINTURN, COLORADO

Earl Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 16 – SERIES 2021
AN ORDINANCE AMENDING THE 2021 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT "A" TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$621,511.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$329,373.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$1,000.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$291,050.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUES IN THE AMOUNT OF \$5,600.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND REVENUES IN THE AMOUNT OF \$36,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$18,000.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND EXPENDITURES IN THE AMOUNT OF \$1,336.00.
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 17 – SERIES 2021
AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2022 BUDGET YEAR.
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
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Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 18 – SERIES 2021
AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX "A" OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2022.
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
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TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 20 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO PROHIBITING THE SALE OF DOGS AND CATS FROM RETAIL PET STORES LOCATED WITHIN THE TOWN OF MINTURN OF WHICH THE ANIMALS ARE BRED OR PROVIDED BY A PUPPY OR CAT MILL.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SUNDAY, NOVEMBER 21, 2021.



To: Mayor and Council
From: Jay Brunvand
Date: December 1, 2021
Agenda Item: Ordinance 20 – Series 2021

REQUEST:

Council is asked to approve Ordinance 20 – Series 2021 (Second Reading)

INTRODUCTION:

At the September 15 Council Meeting a presentation was given on the need to consider an Ordinance that would ban the sale of pet dogs and cats which are furnished dog and cat mills and sold through retail tail outlets. Council directed Staff to prepare an Ordinance to address this issue.

There have been no changes from First Reading and Staff recommends approval of this Ordinance as presented.

ANALYSIS:

N/A

COMMUNITY INPUT:

As an Ordinance the public will have an opportunity to comment on this matter.

BUDGET / STAFF IMPACT:

N/A

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 to practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Ordinance 20 – Series 2021 (Second Reading) as presented.

ATTACHMENTS:

- Ordinance 20 – Series 2021

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 20 – SERIES 2021

**AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO
PROHIBITING THE SALE OF DOGS AND CATS FROM
RETAIL PET STORES LOCATED WITHIN THE TOWN OF
MINTURN OF WHICH THE ANIMALS ARE BRED OR
PROVIDED BY A PUPPY OR CAT MILL**

WHEREAS, Most puppies and kittens sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits (“puppy mills” and “kitten mills,” respectively). According to The Humane Society of the United States, an estimated 10,000 puppy mills produce more than 2 million puppies per year in the United States.

WHEREAS, The documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal veterinary care; lack of adequate food, water and shelter; lack of socialization, exercise and enrichment; lack of sanitation.

WHEREAS, Pet store puppies are often sick and have behavioral problems because of the substandard conditions they were likely born into; they were taken from their mothers at a very young age; they were transported in trucks filled with other young puppies; they were placed in a pet store cage with or near other puppies who are often sick.

WHEREAS, Pet stores often mislead consumers as to where the puppies and kittens in the stores came from and make false health and behavior guarantees. Many consumers end up paying hundreds or thousands of dollars in veterinary bills and suffer the heartbreak of having their new pet suffer, and in some cases pass away.

WHEREAS, According to the U.S. Centers for Disease Control and Prevention, pet store puppies pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant *Campylobacter* infection from contact with pet store puppies.

WHEREAS, Current federal and state regulations do not adequately address the animal welfare and consumer protection problems that the sale of puppy and kitten mill dogs and cats in pet stores pose. Federal oversight of the commercial breeding industry is severely lacking.

WHEREAS, Prohibiting pet stores from selling dogs and cats is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills and decrease the burden that pet store puppies and kittens that end up in animal shelters place on local agencies and taxpayers.

WHEREAS, The huge majority of pet stores, both large chains and small, family-owned shops, are already in compliance with the proposed Ordinance as they already do not sell dogs and cats but rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host adoption events.

WHEREAS, This Ordinance will not affect a consumer’s ability to obtain a dog or cat of his or her choice from an animal rescue, shelter, or breeder who sells directly to the public.

WHEREAS, The Ordinance believes it is in the best interest of town to adopt reasonable regulations to reduce costs to the Town of Minturn and its residents, protect citizens who may purchase cats or dogs

from a pet store, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the [City].

Section 7-11-10 Title

This Article title shall be known as "Prohibition of the retail sale of animals acquired from animal mills."

Section 7-11-20 Intent

It is the intent of the Town Council in adopting these pet animal rules is to require retail outlets to be responsible when obtaining and selling live animals to the public with respect to the animals in a manner which recognizes the rights, health and safety of the animals and others in the community and that they be held strictly liable for conduct of the animals which are provided for sale to the public.

Section 7-9-30 Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.

Breeder means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

Broker means a person that transfers a dog or cat from a breeder for resale by another person.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet store means a retail establishment where dogs or cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 7-9-40 Restrictions on the Sale of Animals

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided the pet store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals.

Section 7-9-50. Penalty.

A pet store that violates this section shall be subject to a civil penalty of \$500, and each dog or cat

offered for sale in violation of this section shall constitute a separate violation. The stated fines are minimum penalties, and all violations are subject to the general fine and imprisonment provisions of Chapter 1, Article 4 of this Code

Section 4. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.


INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: 

Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF DECEMBER, 2021.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 12 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 16 OF THE MINTURN MUNICIPAL CODE TO PROVIDE FOR THE REZONING OF THE GROUSE CREEK COMMERCIAL ZONE DISTRICT, THE OLD TOWN CHARACTER AREA, AND THE SOUTH TOWN COMMERCIAL ZONE DISTRICT
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Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 19 – SERIES 2021
AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO ORDINANCE NO. 20 – SERIES 2021
AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO PROHIBITING THE SALE OF DOGS AND CATS FROM RETAIL PET STORES LOCATED WITHIN THE TOWN OF MINTURN OF WHICH THE ANIMALS ARE BRED OR PROVIDED BY A PUPPY OR CAT MILL.
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF NOVEMBER, 2021. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF DECEMBER, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:
By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SUNDAY, NOVEMBER 21, 2021.

November 24, 2021

Michelle Metteer
Town Manager
PO Box 309
302 Pine Street
Minturn CO 81645-0309

Via Email: manager@minturn.org

Re: Pine Street Improvements
Conceptual Plan Revisions Per Staff and Council Input
Project No. 200068

Michelle:

Please find a revised set of conceptual plans for the Pine Street improvements (attached). The plans were revised based on input from our site meetings with Staff on October 25th and Council on November 3rd.

Based on the input, the plans were broken into three phases – Phase 1 extends from Norman Avenue to Harrison Avenue, Phase 2 from Harrison Avenue to Meek Avenue and Phase 3 from Meek Avenue to Mann Avenue (please refer to Sheet 1 of 6). The street layout assumes retaining the sidewalk on the west side of the street, replacing broken sections, filling in missing sections, and adding curb & gutter throughout. The proposed street width varies based upon the width of the existing street, making use of the available space to reduce the impact on adjoining properties. The existing asphalt will be demolished, roadbase and subgrade improved, and then the street will be fully reconstructed (please refer to Sheets 4-6). The Minturn Master Drainage Plan (MMDP) recommendations will be implemented within Pine Street.

Phase 1:

The proposed reconstruction for the northern 200 feet of Phase 1 would include 11’ travel lanes, retain the perpendicular parking in front of Town Hall, and have parallel parking along the west side of the street as space allows. Drainage additions include a concrete pan on the east and curb & gutter on the west. The next 100 feet will not have parallel parking on the west, but will accommodate the existing private parking on the east. Driving lanes would be 11 feet wide with a 3’ wide concrete pan added at the rear of the existing parking spaces in front of 376 Pine St. The sidewalk on the west side of the street will be rehabilitated as necessary. The sidewalk was constructed without a curb section.

VAIL VALLEY OFFICE

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO 81620

DENVER OFFICE

9618 Brook Hill Lane | Lone Tree, CO 80124

970.949.5072 | info@inter-mtn.net

November 24, 2021
Michelle Metteer
Minturn Town Manager
Re: Pine Street Improvements
Conceptual Plan Revisions Per Staff and Council Input
Project No. 200068

The estimated construction cost for Phase 1 is \$145,000. Please keep in mind this cost is based on recent construction costs, without final design, and without contractor input. As you are aware, we are experiencing runaway construction cost inflation which cannot be predicted and will affect the actual cost of the work.

Phase 2:

The proposed reconstruction for Phase 2 would include 11' travel lanes and have parallel parking along the east side of the street. This plan would interrupt the existing private perpendicular parking at the church. Drainage additions include storm inlets, a concrete pan on the east and curb & gutter on the west. The alternate section moves the concrete pan to the east, still within the right of way but further into the church parking to better align with existing storm sewer inlets. The sidewalk on the west side of the street will be rehabilitated as necessary. The sidewalk was constructed without a curb section.

The estimated construction cost for Phase 2 is \$565,000. Please keep in mind this cost is based on recent construction costs, without final design, and without contractor input. As you are aware, we are experiencing runaway construction cost inflation which cannot be predicted and will affect the actual cost of the work.

Phase 3:

The proposed reconstruction for Phase 3 would include 11' travel lanes and have parallel parking along the east side of the street. This plan would improve the intersection at Mann Avenue by re-aligning the roadway more centered within the street right of way. This will require the construction of a retaining wall along the west side of the road. A sidewalk on the west side of the street is not proposed based on discussion with the Council at the field visit. Drainage additions include storm inlets, a concrete pan on the east, and curb & gutter on the west.

The estimated construction cost for Phase 3 is \$325,000. Please keep in mind this cost is based on recent construction costs, without final design, and without contractor input. As you are aware, we are experiencing runaway construction cost inflation which cannot be predicted and will affect the actual cost of the work.

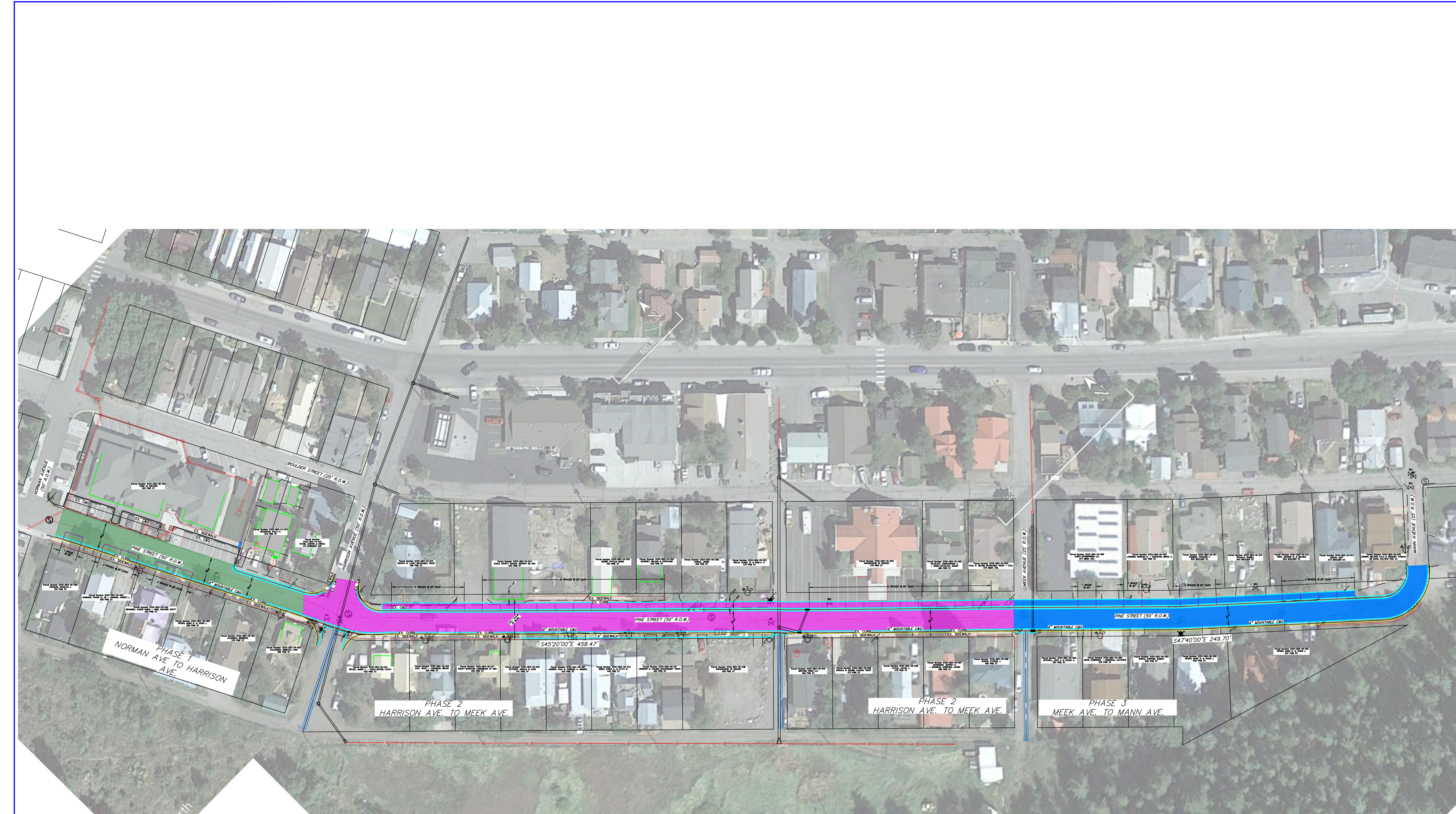
We believe the proposed conceptual roadway layout for Pine Street reflects our discussions and look forward to your review and any additional input.

Thank you for this opportunity to be of service,

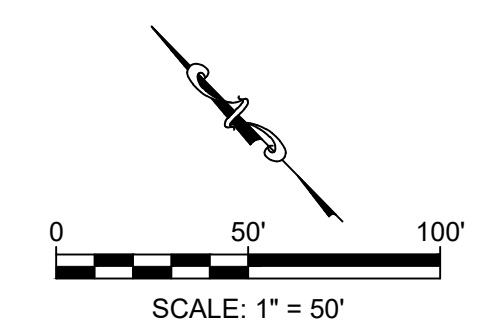
Inter-Mountain Engineering



Jeffery M. Spanel PE
Attachments: Conceptual Plans 11-24-21



- PHASE 1 – NORMAN AVE. TO HARRISON AVE.
- PHASE 2 – HARRISON AVE. TO MEEK AVE.
- PHASE 3 – MEEK AVE. TO MANN AVE.



PRELIMINARY
NOT FOR CONSTRUCTION

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NO.	DATE	REVISION	BY

Inter-Mountain
ENGINEERS
Civil Engineers & Surveyors
3018 FOWLER ST. TAVEL, INTERMOUNTAIN, UT
(801) 437-8000

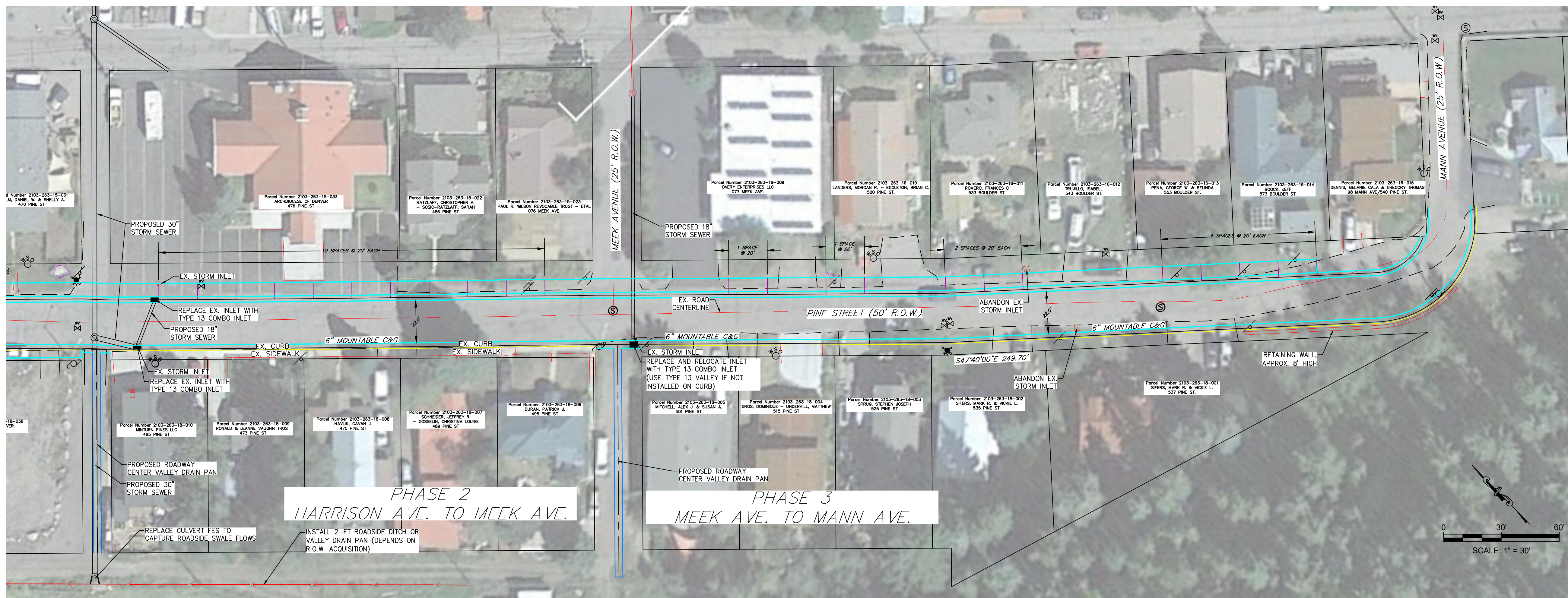
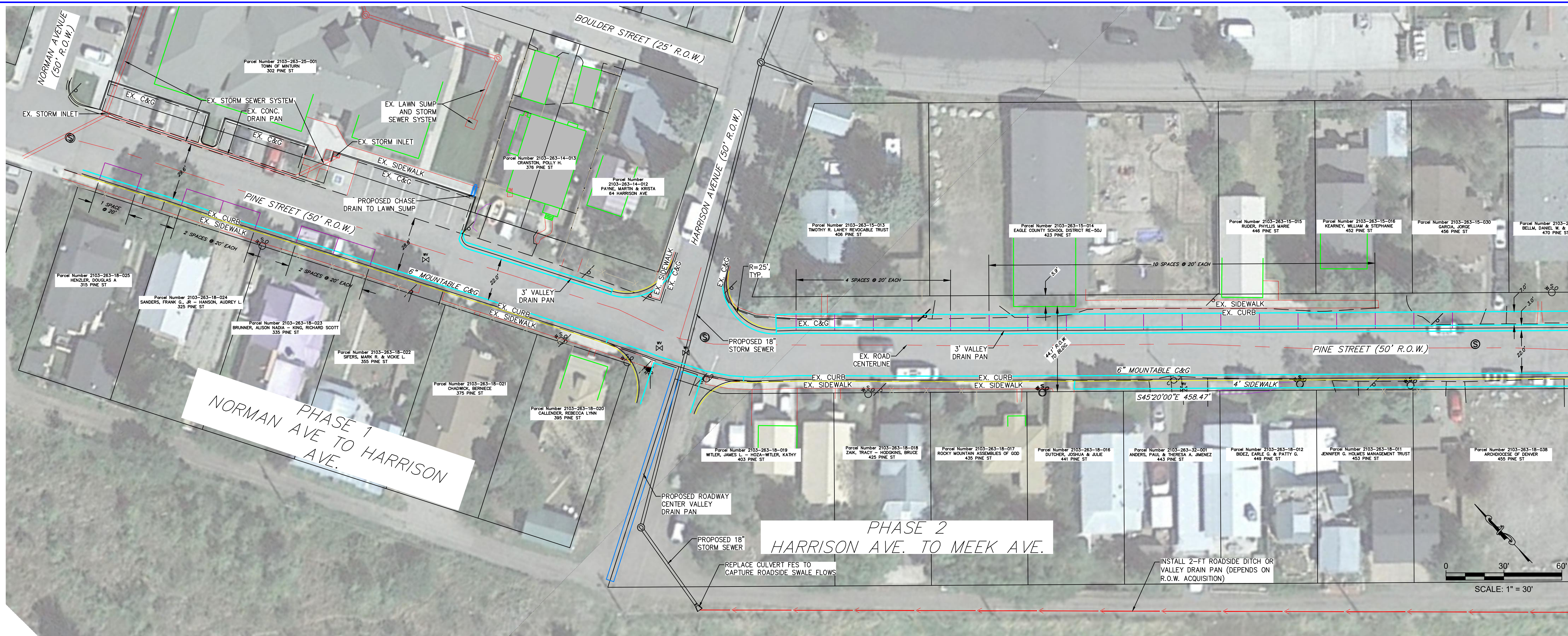
TOWN OF MINTURN

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OVERALL ROAD PHASING PLAN

PINE STREET
TOWN OF MINTURN, COLORADO

DESIGNED BY:	ELS
DRAWN BY:	ELS
CHECKED BY:	BPS
DATE ISSUED:	11/24/2021
PROJECT NO.:	200068
SHEET NO.:	1 OF 6



NO.	DATE	REVISION	BY

Inter-Mountain
ENGINEERS & SURVEYORS
 Civil Engineers & Surveyors
 3018 FORTWORTH, TEXAS 76107
 (817) 435-5000

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CONCEPTUAL ROAD PLAN
 PINE STREET
 TOWN OF MINTURN, COLORADO


DESIGNED BY: ELS
 DRAWN BY: ELS
 CHECKED BY: BPS
 DATE ISSUED: 11/24/2021

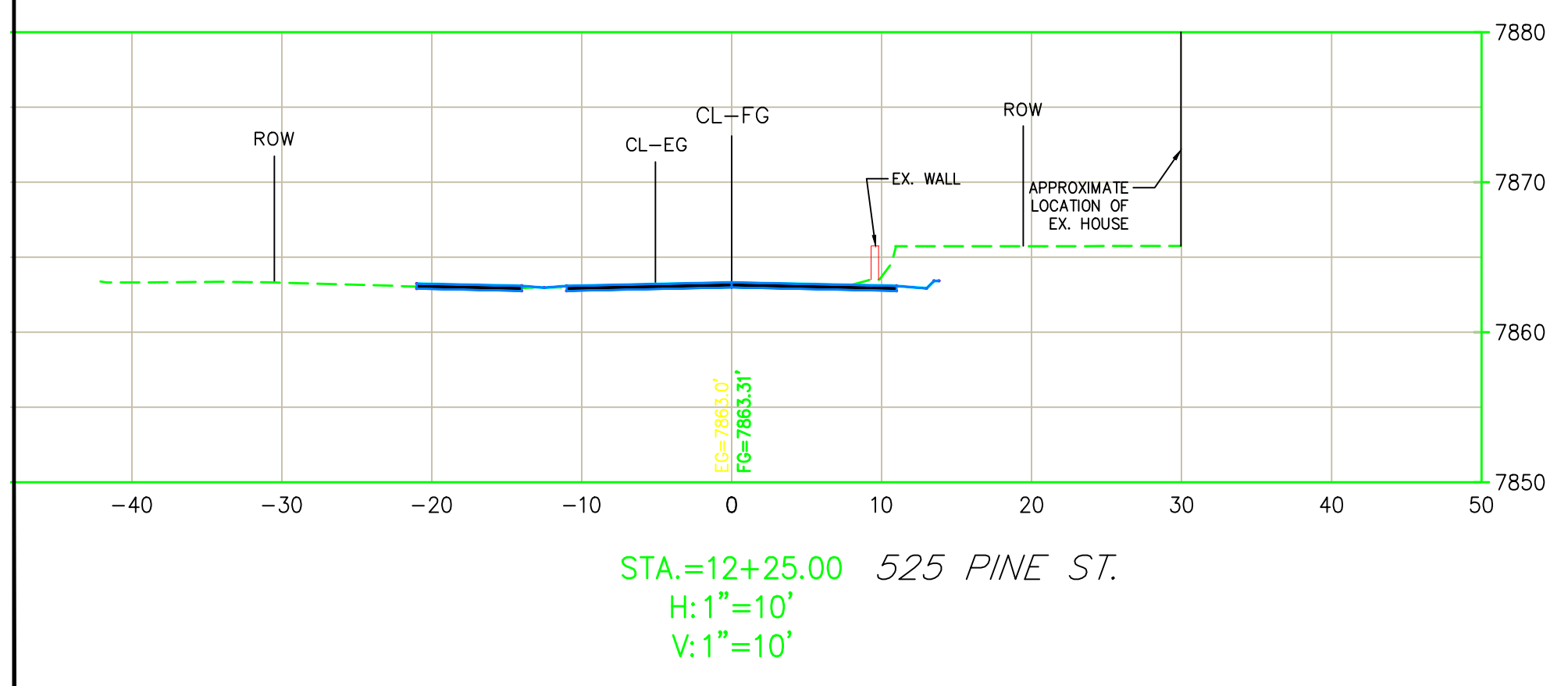
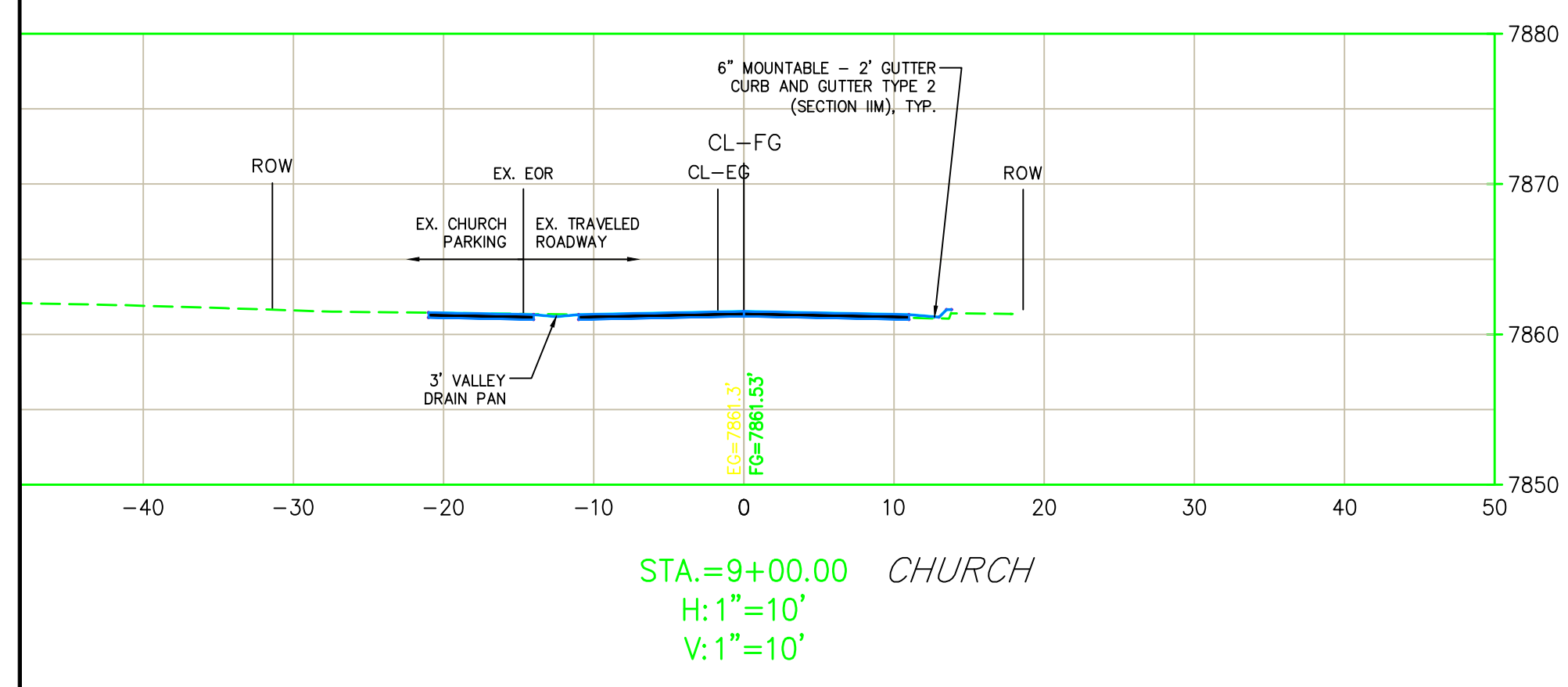
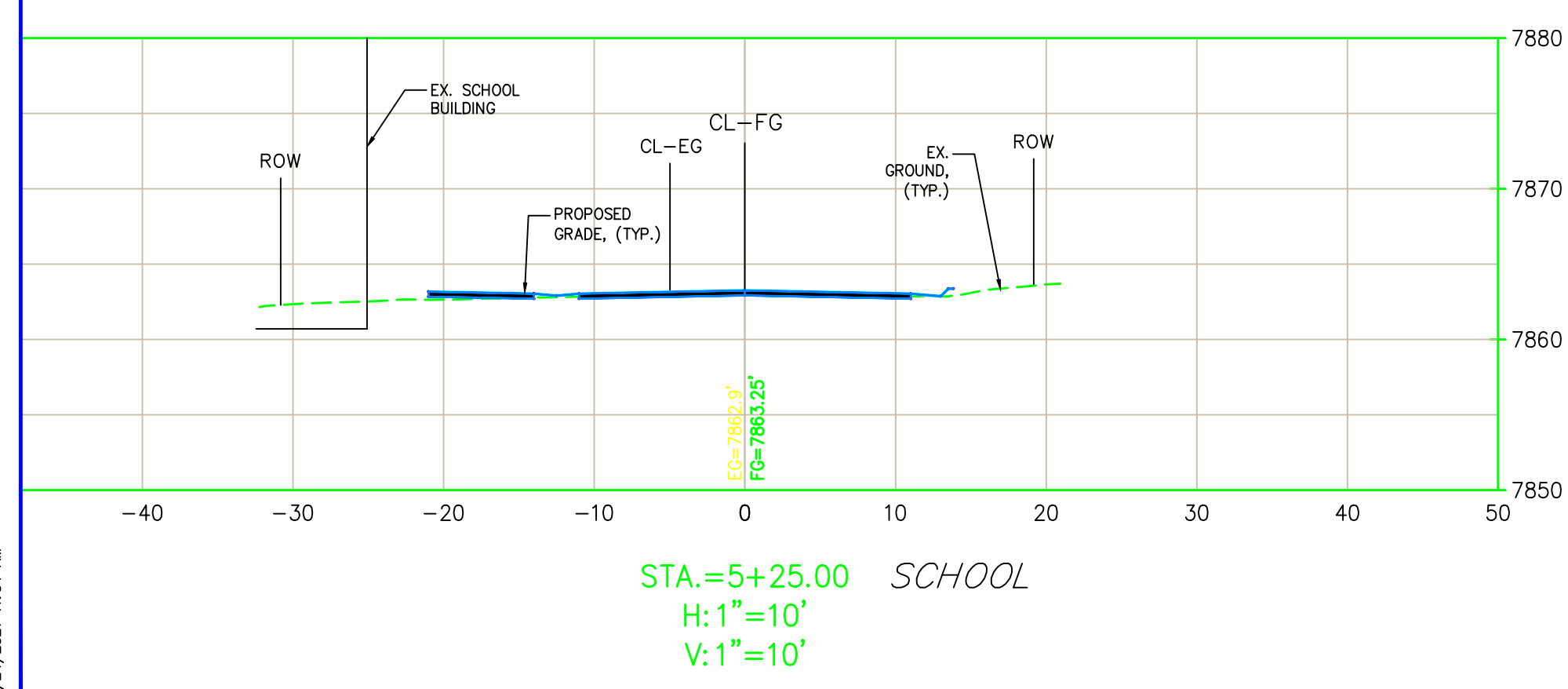
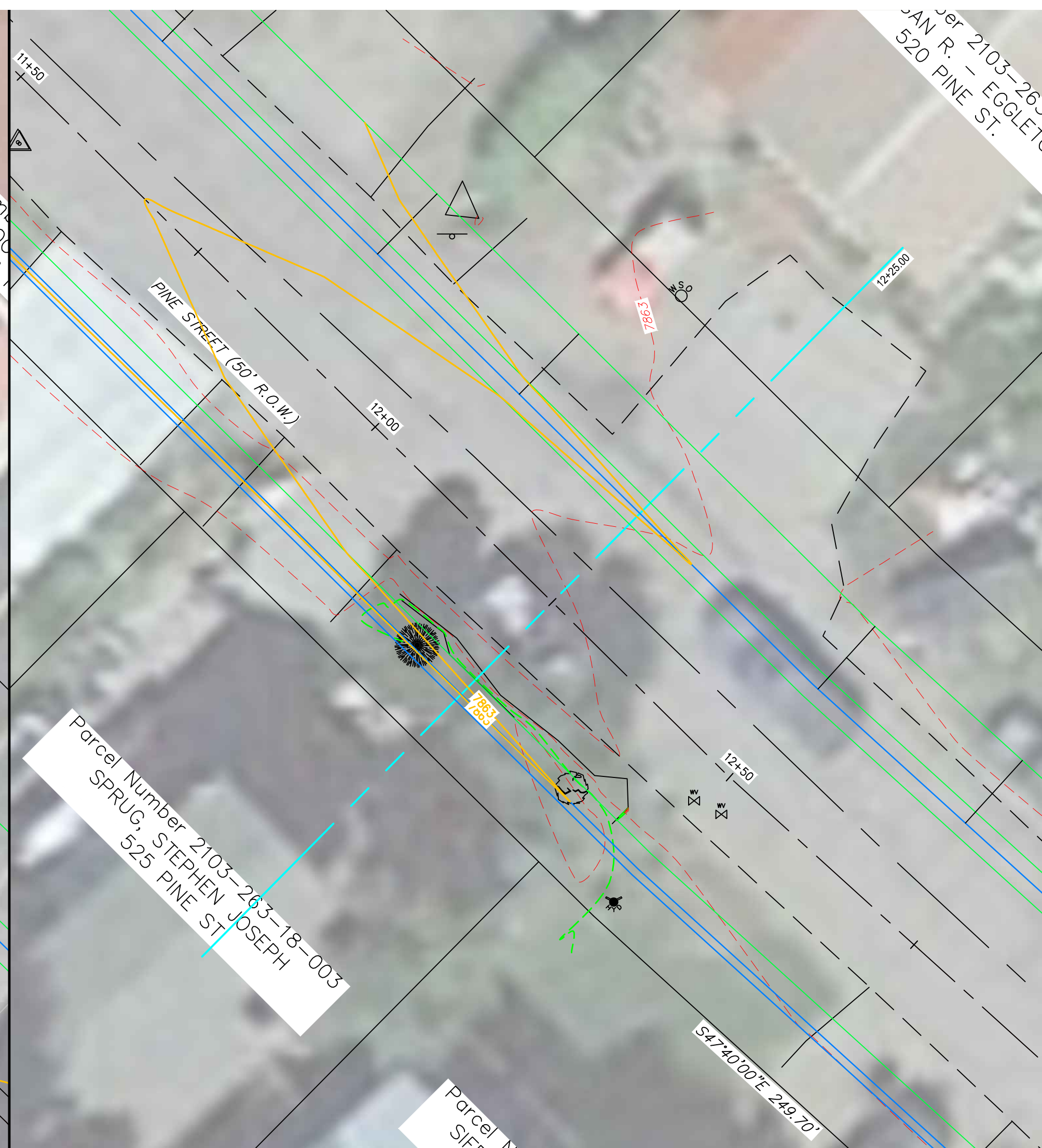
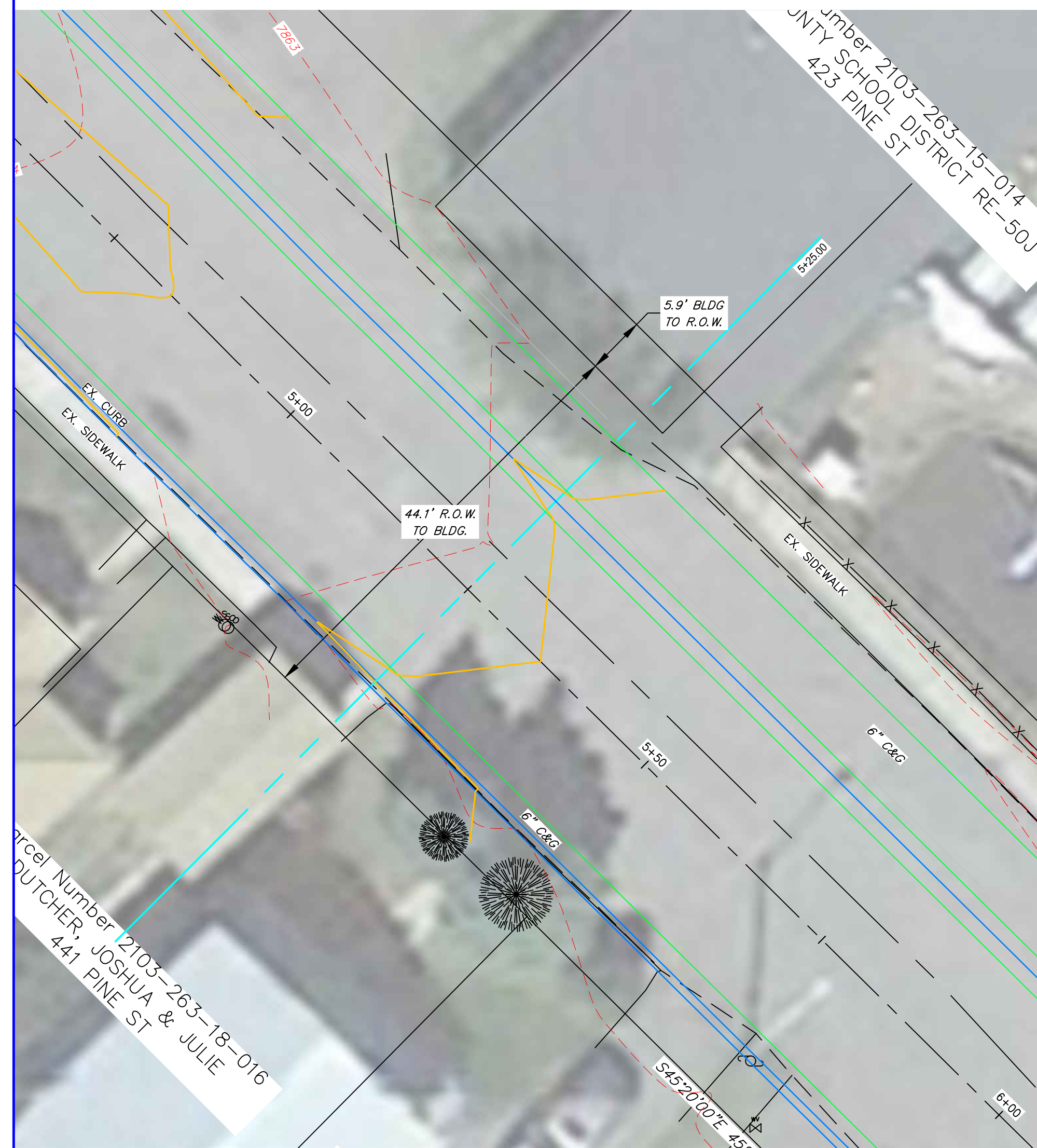
PROJECT NO. 200068
 SHEET NO. 2 OF 6

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 WWW.UCC.CO



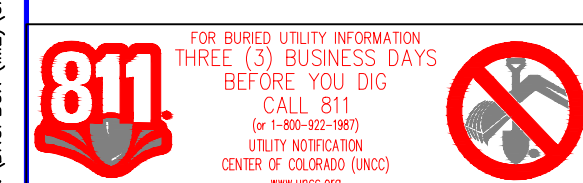


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 V: 1"=10'

STA.=+9+00.00 CHURCH
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 V: 1"=10'

STA.=+12+25.00 525 PINE ST.
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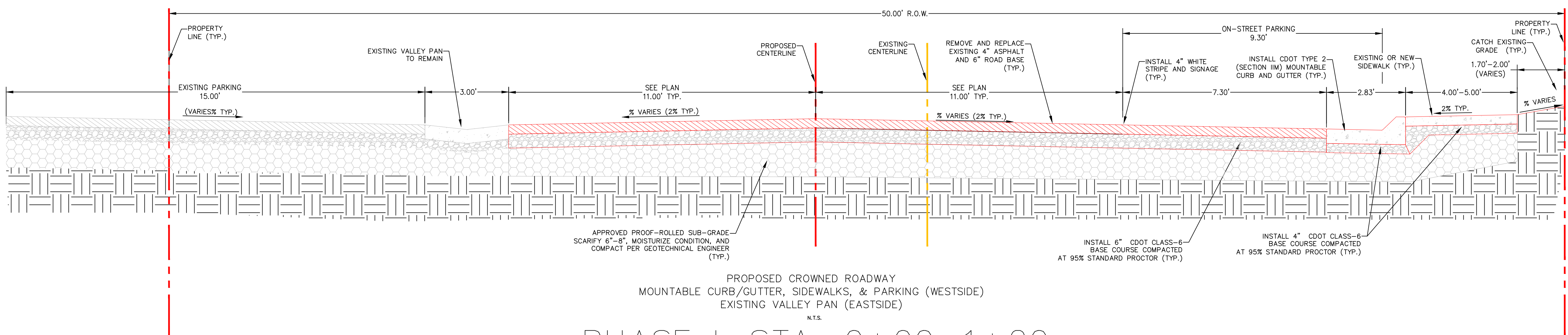
Inter-Mountain ENGINEERS
 Civil Engineers & Surveyors
 3011 FORTRESS BLVD., SUITE 100, DENVER, CO 80202
 (303) 733-8800

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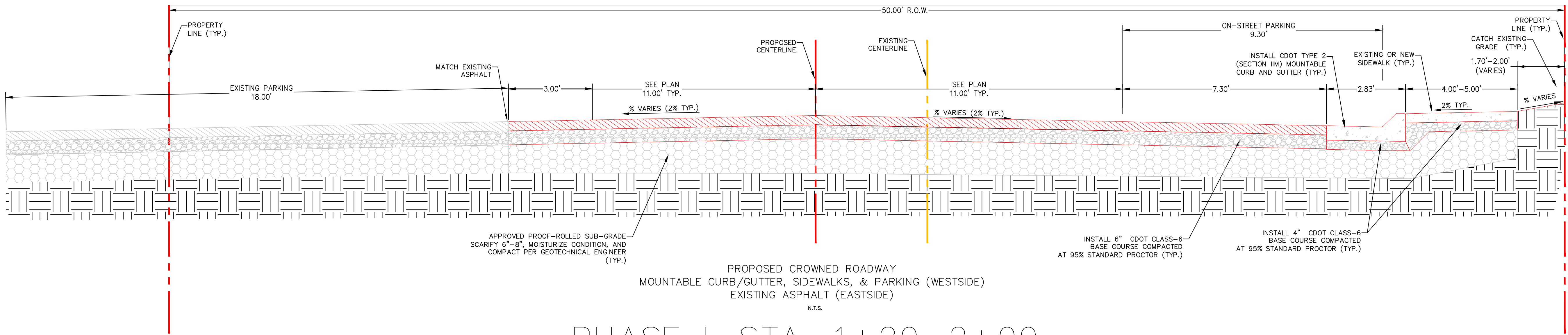
CONCEPTUAL PLAN AND SECTIONS
 PINE STREET
 TOWN OF MINTURN, COLORADO

DESIGNED BY:	ELS
DRAWN BY:	ELS
CHECKED BY:	BPS
DATE ISSUED:	11/24/2021
PROJECT NO.	200068
SHEET NO.	3 OF 6

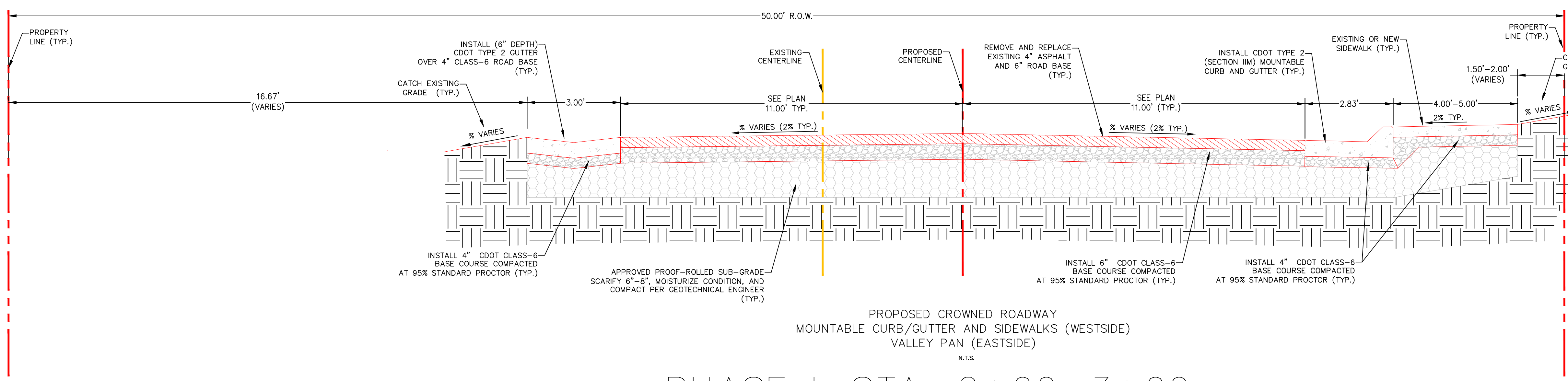
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PHASE I - STA. 0+00-1+20



PHASE I - STA. 1+20-2+00



PHASE I - STA. 2+00-3+00

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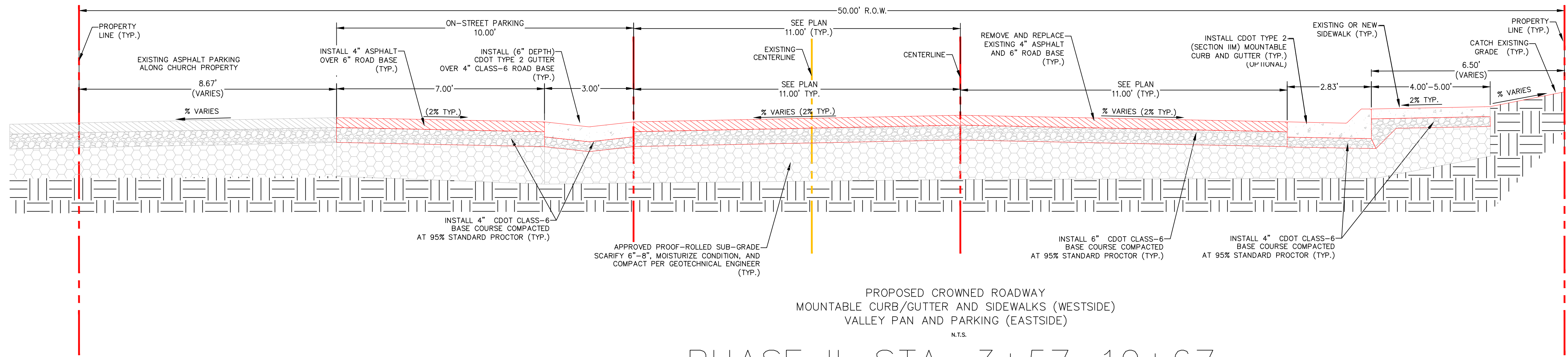
NO.	DATE	REVISION	BY

Inter-Mountain ENGINEERS & Surveyors
Civil Engineers & Surveyors
3000 E. HIGHWAY 70, DENVER, CO 80202
TEL: (303) 756-7007 FAX: (303) 756-7011
www.intermountain.net

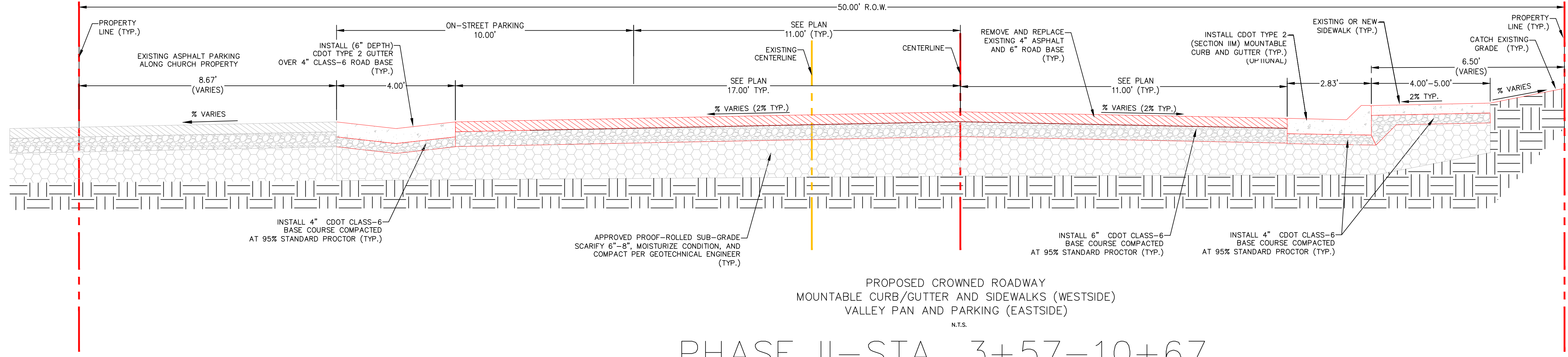
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TYPICAL CROSS SECTION DETAILS
PINE STREET
TOWN OF MINTURN, COLORADO

DESIGNED BY:	ELS
DRAWN BY:	ELS
CHECKED BY:	BPS
DATE ISSUED:	11/24/2021
PROJECT NO.	200068
SHEET NO.	4 OF 6



PHASE II-STA. 3+57-10+67



PHASE II-STA. 3+57-10+67
(ALTERNATE)

NO.	DATE	REVISION	BY

Inter-Mountain ENGINEERS & Surveyors
Civil Engineers & Surveyors
30181 PINE STREET, FARMINGTON, MINN. 55125
(612) 835-7000

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TYPICAL CROSS SECTION DETAILS

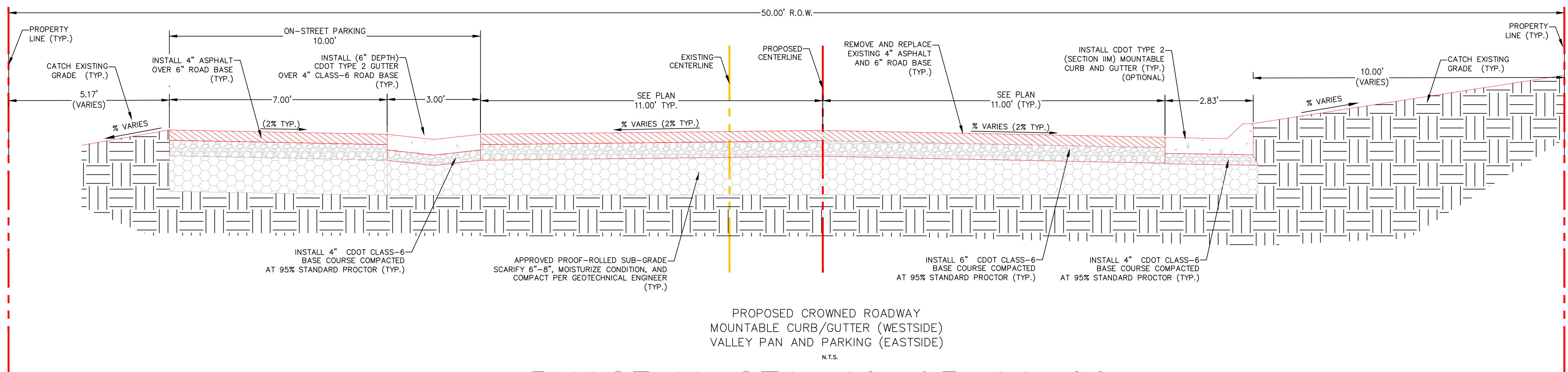
PINE STREET
TOWN OF MINTURN, COLORADO

DESIGNED BY:	ELS
DRAWN BY:	ELS
CHECKED BY:	BPS
DATE ISSUED:	11/24/2021
PROJECT NO.	200068
SHEET NO.	5 OF 6

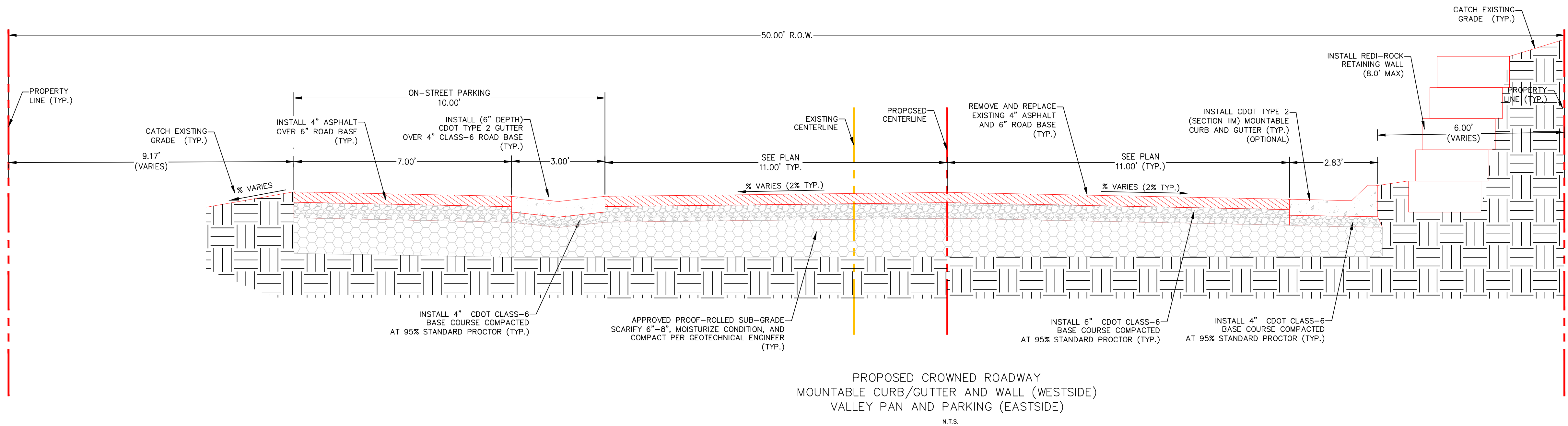
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PHASE III - STA. 10+93-14+00



PHASE III - STA. 14+00-15+00

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Inter-Mountain ENGINEERS & Surveyors
Civil Engineers & Surveyors
30101 (P)0058-007, 11441 (I)0018-001, 11441 (I)0018-001, 11441 (I)0018-001

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TYPICAL CROSS SECTION DETAILS
PINE STREET
TOWN OF MINTURN, COLORADO

DESIGNED BY:	ELS
DRAWN BY:	ELS
CHECKED BY:	BPS
DATE ISSUED:	11/24/2021
PROJECT NO:	200068
SHEET NO:	6 OF 6



MEMORANDUM

TO: Michelle Metteer
FROM: Ryan Gordon
DATE: November 23, 2021
RE: Minturn Water Tank Bid Evaluation and Options

Dear Michelle,

Bids for the Minturn Water Tank project were received and opened on Wednesday November 17, 2021. We received three bidders shown below:

- Phoenix Industries (Glenwood Springs, CO) \$4,563,512.71
- Johnson Construction (Rifle, CO) \$4,965,201
- Schofield Excavation (Gypsum, CO) \$5,881,815

Current Design

I have talked at length with the two lowest bidders to inquire if they have value engineering ideas or changes to the design that could reduce the cost of the project as currently designed. The ideas generated are provided below with a range of cost savings. The range takes into consideration of both low bid costs:

1. Eliminate the cable security fencing along the outer edge of the MSE wall and replace with boulders/rocks generated from the excavation. The cost savings is ~\$2,000 - \$25,000; this takes into account the effort to place boulders/rocks.
2. Reduce the cost of excavation by finding a location for excavated material. We required the contractor to truck and dispose of material off-site. It is difficult to determine these costs but estimated savings of \$50,000- \$75,000.
3. Allow for longer construction schedule. The Contractors indicated that the schedule is tight to complete in a calendar year (May 1 to November 30) and a longer schedule would provide a potential cost savings of \$25,000 - \$75,000.
4. Eliminate spare conduit for future electrical needs. This is a cost savings of \$17,000 - \$21,250. We do not recommend eliminating this element of the design as there is a chance that we will need electrical power at the tanks at a future date and it will be more expensive to install the conduit in the future.

Modify Current Design

There are several material or design changes that could be made to current design that could result in cost reductions. These changes do not include changes to the tank material or the location.

1. Change the tanks from concrete to steel. Steel has traditionally been slightly cheaper at the tank sizes that we require. However, the cost of steel has risen dramatically over the past 6-9 months. Recent steel tanks have ranged from \$1.75/gallon to \$2.25/gallon but these quotes are from late 2020 these costs might not be indicative of the current market. Savings may be \$150,000 - \$500,000.
 - a. Pros:
 - i. Reduced capital cost to construct the tanks
 - ii. Reduced tank platform and staging area
 - iii. Reduced construction time to erect tank
 - b. Cons:
 - i. O&M costs associated with steel tanks are much higher than concrete tanks. Every 15 years it is recommended that steel tanks are sand blasted and recoated. As an example, the 500,000 gallon Cardiff Tank in Glenwood Springs is undergoing this process and the cost is ~\$75,000.
 - ii. All coatings will be required to be NSF approved starting in 2023 which might add some cost to coatings and might lead to longer lead times to procure the material.
 - iii. Cathodic protection systems are recommended to reduce the corrosion potential.
 - iv. Steel tanks are more susceptible to freezing and in-tank mixers might need to be included.
2. Reduce the number of tanks from two to one. The cost savings is \$450,000 - \$800,000. Note that these savings are based on a cost to construction the tank from the tank contractor which may not be the same cost the general contractor needs to construct, manage, test and certify the tank.
 - a. Pros:
 - i. Reduced capital costs by eliminate the tank
 - ii. Reduced size of the platform and associated walls
 - iii. Reduced construction time to erect the tank
 - b. Cons:
 - i. No redundancy in water storage. If the tank is required to be taken offline, the Town would not have water storage.
3. Reduce the size of the tanks by removing the 200 SFE from Battle Mountain Phase 1. This results in a reduction of storage by ~80,000 gallons. The cost savings would be ~\$100,000-\$150,000.
 - a. Pros:
 - i. Reduced capital cost of tanks
 - b. Cons:
 - i. Reduced water storage volume that could be used for development, fire flow or other unforeseen uses

Redesign

We have looked at a redesign of the project to decrease costs. The best option would be to relocate the tanks down the slope to adjacent to the water treatment plant. This option would keep the size and material type of the tanks the same as the original design. The advantages for this option is it will eliminate or reduce a substantial amount of grading, walls and utility runs.

The major disadvantage is that we will need a booster pump station to serve the Town. This will add a piece of mechanical equipment to the Town's water system which we

were trying to avoid by locating the tank up the slope and relying on gravity to serve the Town.

1. Potential deletions:
 - a. Downhill wall (MSE wall) would no longer be needed. Savings includes excavation and the cost to construct the wall; \$700,000 - \$900,000
 - b. Cable Security fencing would no longer be needed. Savings is \$7,000-\$28,800
2. Potential Reductions
 - a. Rock anchor/Soil nail wall would be reduced and potentially can be eliminated. Based on the slopes, we can likely grade the site to an acceptable slope. We have assumed that we can reduce the soil nail/rock anchor area by 50%. Savings are \$125,000-\$165,000
 - b. Utility lengths are reduced as the tank is much close to the existing WTP (for electrical conduit and control conduit) and to the distribution pipe. Savings are \$130,000 - \$140,000
 - c. The tank platform and access road preparation would be reduced. Savings are \$6,000 – \$15,000
3. Potential Reductions
 - a. We have a rock excavation line item in case we encountered rock during excavation. With much less excavation, we may not encounter as much rock as anticipated.
 - b. We have a grouting line item in case we had voids behind the soil nail wall. If we reduce or eliminate the soil nail wall, the grouting task may be reduced or eliminated.
 - c. We have wildlife fencing that was located along the top of the soil nail wall. Discussions will need to occur with CPW to see if wildlife fencing is still necessary or if the security fencing at the property line will meet their requirements.
4. Potential increases or decreases
 - a. We don't anticipate that the lump sum items would change but there is potential that the micropile foundation would increase if the subsurface conditions are substantially different than the previous site.
 - b. The cost for the tanks may change. We would anticipate that the cost for some bidders would be reduced but we do not know at this time.
5. Cost increases to the project
 - a. A booster pump station would be required to provide domestic and fire flows to the Town. Based on initial analysis, domestic flows would likely be provided by gravity at the new location but gravity would not provide adequate flows under all conditions. The cost of the new booster station would include the construction of a separate building; cost would be \$300,000.
 - b. A booster pump station is necessary for Maloit Park and will be included in the WTP project. We believe that a combined pump station to serve both the Town and Maloit Park can be designed.
 - c. An emergency generator is necessary. An emergency generator is planned for the new WTP.
 - i. In addition to the capital cost to build the pump station, there is an annual O&M cost to test and certify the pumps as well as the annual operation costs. The annual testing costs are ~\$2,000. We have not modeled the booster pump but we have estimated that the annual cost for pumping to be \$5,000.

- d. Overhead electrical lines would need to be relocated. We would propose that they be buried in the area of conflict. This cost would be \$60,000
- e. A new culvert and energy dissipator would need to be provided to manage overflow and emergency flows from the tank to Cross Creek. The cost would be \$21,000

If the option to redesign the tanks is chosen, we would recommend that the project be re-bid with a short, 2-week window for the contractors to revise their bids.

All of the cost savings listed within this memo are estimates. Actual bids could include variables that may have not been accounted for. Many of the cost savings/reductions are based on unit prices from the bids we have received and the unit costs may change as the quantities and/or conditions change.

Please contact me if you have any questions regarding this invoice at 970-384-9034.

Sincerely,

Ryan Gordon, PE
Project Manager

SPECIAL DISTRICTS IN COLORADO

William P. Ankele, Jr., Esq.

WHITE BEAR ANKELE TANAKA & WALDRON

2154 E. Commons Ave, Suite 2000

Centennial, Colorado

(303) 858-1800

What is a Special District?

- A special district is a quasi-municipal corporation and political subdivision of the State of Colorado
- Formed under Title 32 of the Colorado Revised Statutes
- Districts are used to finance public improvements needed for development projects, and may own, operate and maintain public improvements
- Special districts can be single purpose or multiple purpose districts
- Most common form is a multiple purpose district known as a “metropolitan” or “metro” district

What Can a Special District Finance?

- Street Improvements
- Safety Protection Improvements
- Parks and Recreation Improvements
- Water Improvements
- Sanitary Sewer Improvements
- Storm Drainage Improvements
- Transportation Improvements
- Mosquito Control Improvements
- Television Relay and Translation Improvements
- Fire Protection Improvements
- Covenant Enforcement and Design Review
- Security Services

How are Special District Improvements Financed?

- By the issuance of tax-exempt bonds, to be repaid from special district revenues
 - Ad valorem taxes
 - Specific ownership taxes
 - Fees
- The approving jurisdiction is not obligated for the special district's debt or other financial obligations

Procedure for Forming a Special District

- Submittal of a Service plan to the jurisdiction in which the property is located (Service Plan is similar to a city charter)
- Upon approval of the service plan, a petition for organization is filed with the district court
- Pursuant to a court hearing, the court orders the organizational election
- Only those electors that are qualified within the area of the proposed district vote at the election

Special District Ordinance and Model Service Plan

- Many jurisdictions have adopted ordinances/policies governing special districts
- Many jurisdictions also create Model Service Plans to provide consistency
- One example discussed with Town Staff is the Ordinance and Model Service Plan for the Town of Silt
- Proposed that Minturn North Metro District be organized in parallel with creation of Special District Ordinance and Model Service Plan

How Does a Special District Function After Organization?

- Special districts are governments
- Special district boards of directors meet on a regular basis to handle the business of the special district
- Many special districts engage professional management companies, general legal counsel and an accountant experienced with governmental accounting

Functions After Organization (continued)

- A special district is governed by a board of directors
- Directors must be “eligible electors” of the special district
 - Must be registered to vote in Colorado
 - Must have an interest in taxable property within the special district or reside in the special district
- Directors are elected by a majority vote of the eligible electors
- Governmental immunity for district and directors acting within the scope of their duty

Functions After Organization (continued)

- District board is publicly accountable
 - Must hold open meetings with due notice to members of the public
 - Must maintain minutes of all meetings and other records for public inspection
 - Must adopt annual budgets at a public hearing, held by the board of directors of the district
 - Must submit to annual financial audits if financial activities meet certain thresholds

Functions After Organization (continued)

- District must comply with statutory compliance and disclosure requirements
 - Must establish a website containing specified information and documents to be updated annually
 - Must submit an annual report to the authorizing jurisdiction containing certain information related to the activities of the district
 - Sellers of newly constructed homes in a district must provide specific disclosures to purchasers about the existence of the district

Benefits to Approving Jurisdiction

- It provides a mechanism for financing the construction and the maintenance of improvements within a specific area in order to facilitate and sustain the aesthetics of the area
- It addresses local infrastructure needs while allocating the costs of the solution to those directly benefiting
- It facilitates growth in the market value of property within the district, which improves the overall financial condition of the area
- With appropriate limitations on District powers and functions, can achieve these outcomes without exposing property owners to unreasonable financial burdens

Representative Service Plan Ordinance Provisions (Silt)

- Adopted in May of 2020
- Acknowledges that properly structured District can enhance quality of development/provide extraordinary benefits
- Identifies various major Town strategic priorities to ensure District promotes such priorities
- Establishes Procedures for submittal, review and approval of Service Plans

Representative Service Plan Ordinance Provisions

- Creates a Model Service Plan
 - Maximum Debt Levy of 50 Mills
 - Maximum Operations Levy of 10 Mills
 - Some Jurisdictions have a combined debt service/operations mill levy cap
 - Limits Maximum Term of Debt to 30-40 years
 - Requires Financing Plan showing revenues, expenses, bond issues
 - Requires Public Improvement Cost Estimates
 - Establishes Criteria for Dissolution of District
 - Establishes Procedures for Approval of Material Modifications to Service Plan
 - Requires Annual Report to Town

Minturn North Metro District Concepts

Project Area



GDC
DESIGNS
ARCHITECTURE
301 Boulder St. #333
Minutem CO 81645

Minutem North PUD
Minutem, Colorado 81645

PROJECT NO. 18_187900000

ISSUE
26 September 2021
RELEASE
Site RVS

STY
REVISION
A00
© 2021 GDC DESIGN

Density: 72 (at 188 Max Units Total - If all lots are improved with Max. entitlement)
 Parks & Open Space: Phase One: Apply 1 acre/acre along west side of Minutem Rd to just north of 4th Street; Phase Two: Apply 1 acre/acre along west side of Minutem Road; Phase Three: Apply 1 acre/acre along west side of Minutem Road.
 Snow: Minimum snow storage area in Phase One: Apply 1 acre/acre along west side of Minutem Road; Minimum snow storage area in Phase Two: Apply 1 acre/acre along west side of Minutem Road; Minimum snow storage area in Phase Three: Apply 1 acre/acre along west side of Minutem Road.

UNIT TYPE SUMMARY					PHASE ONE	PHASE TWO
Unit Type	Min. Lot Size	# Lots	Max Units	Req'd SFE	#/max/SFE	#/min/SFE
Standard	5,000sf	22	44	44	11 / 22 / 22	11 / 22 / 22
Compact	4,000sf	35	70	52.5	14 / 28 / 21	21 / 42 / 31.5
College	2,500sf	10	10	10	1 / 1 / 1	1 / 1 / 1
North MF	-	1	40	40	1 / 1 / 0	40 / 40 / 40
Multi-Family	-	3	24	24	3 / 24 / 24	0 / 0 / 0
		71	188	170.5	29 / 74 / 67	63 / 106 / 91.5*

proposing 25% deed restricted to include 10 'Locals Only' Lots (College, only) and 20 'Locals Only' MF units

Minturn North Metropolitan District

- Estimated Public Infrastructure Costs
 - \$5.6 million physical infrastructure
 - \$2.8 million tap fees/water cash in lieu
- Preliminary District Debt Capacity
 - Modeled by Underwriter for District Bonds
 - Projected Par Amount: \$5.0 million
 - Projected Net Proceeds: \$4.4 million
 - Assumes Assessed Value per Development Plan
 - Assumes 50 mills for Debt Service
 - Maximum Term: 30-40 years

Potential Use of Proceeds

- Various Offsite and Onsite Improvements Eligible
 - Highway 24 Improvements
 - Paving County Road
 - Minturn Road Improvements
 - Taylor Street Improvements
 - New Public Parking for Game Creek Trail
 - New Stormwater Systems in Minturn Road/Taylor Street
 - Public Park in Project

Approval/Organizational Timeline

- December, 2021 - Early March 2022
 - Draft and Adopt Ordinance/Model Service Plan
 - Draft and Obtain Approval of Minturn North Service Plan using the Model
- Mid-March, 2022
 - Submit Petition for Organization to District Court
- May 3, 2022
 - Hold Organizational Election and obtain Order Declaring District Organized

Questions

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 Clerk/Treasurer
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 Minturn, CO 81645
 970-827-5645 x1
treasurer@minturn.org
www.minturn.org



Town Council
 Mayor – Earle Bidez
 Mayor Pro Tem – Terry Armistead
 Council Members:
 George Brodin
 Lynn Feiger
 Eric Gotthelf
 Gusty Kanakis
 Tom Sullivan

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

REGULAR TOWN COUNCIL MEETINGS
December 1, 2021
2 nd Reading of Budget Ordinances - Brunvand
Ordinance 20 - Series 2021 (Second Reading) not allowing puppy mill animals sold in town
Water Tank Funding Discussion – Metteer/Gordon/Mann
Minturn North Metro District Discussion - Sawyer
Discussion – Pine Street Repairs (Norman Ave to Mann Ave) - Spanel
December 15, 2021
Liquor License – Temporary Permit Minturn Saloon
January 5, 2021
Consent Agenda: Resolution No. 01 – Series 2020 A Resolution setting a Resolution setting the official posting sites for the Town of Minturn – Brunvand
January 19, 2021
DATE TO BE DETERMINED
30’ River Setback Policy Review & Eagle River Park (MMC Sec. 16-2-50(b)) – waiting on Planning Commission review
2021-23 Strategic Plan Amendment – Building Code Updates
Ordinance regarding Livestock – Waiting on Planning Commission review
Potential legislation regarding Mobile homes
Car Idling