



## AGENDA

### Work Session 4:30 | Town Council 5:30

Wednesday, January 15, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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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 of agenda items listed are approximate.

This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

#### MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

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/84490291080>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 844 9029 1080

**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.

#### 1. CALL TO ORDER

Mayor Earle B. called the meeting to order at 4:30pm.

#### 2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council present Mayor Earle Bidez, Mayor Pro Eric Gotthelf, Town Council members Lynn Feiger, Gusty Kanakis, Tom Priest, and Brian Rodine. Note: Kate Schifani was absent.

Staff present: Town Manager Michelle Metteer, Town Attorney Michael Sawyer (zoom), Town Planners Scot Hunn and Madison Harris, and Town Clerk Jay Brunvand (zoom).

#### 3. WORK SESSION (4:30 PM)

##### A. Town Manager Executive Recruitment

Review signed contract proposal, expectations, and next steps.

Council convened in Regular Session at 5:38pm.

**4. APPROVAL OF CONSENT AGENDA**

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.

**A.** December 18, 2024 Minutes

**B.** Liquor License Renewal - 542 Main St LLC, DBA Sunrise 132 Main Street, Doug McAvity Owner/Manager

Motion by Gusty., second by Eric G., to approve the Consent Agenda of January 15, 2025 as presented. Motion passed 6-0. Note: Kate Schifani was absent.

**5. APPROVAL OF REGULAR AGENDA**

Opportunity for amendment or deletions to the agenda.

- Request to pull Item 11d Professional Services Agreement for an Interim Town Manager

Motion by Gusty K., second by Tom P., to approve the Agenda of January 15, 2025 as amended. Motion passed 6-0. Note: Kate Schifani was absent.

**6. DECLARATION OF CONFLICTS OF INTEREST**

**7. PUBLIC COMMENT**

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.

**A.** Alex Markels

Mr. Alex Markels, 624 Main St (Enclave Condominiums), presented a letter of concern and asked the council to enforce the Eagle River Highwater mark. Following is his complete letter.

Michelle M. noted we are complaint based and this is being followed up on.

January 13, 2025

Minturn Town Council  
302 Pine Street  
Minturn, CO 81645

Dear Councilmembers,

My name is Alex Markels and I live at 624 Main St. in Minturn.

I am writing to express my concerns about ongoing violations of Section 16-17-95 of the Minturn Municipal Code, which establishes a 30-foot setback from the high-water mark of the Eagle River. This setback is crucial for protecting the river's riparian corridor, a vital ecosystem supporting diverse fish and other wildlife.

While recent discussions regarding historic property designations have sparked debate, I believe we can all agree on the significance of the Eagle River as one of Minturn's most valuable historic and ecological assets. Its riparian corridor plays a critical role in filtering pollutants, stabilizing the riverbank, and moderating water temperatures, benefiting the entire ecosystem.

Unfortunately, the town's enforcement of Section 16-17-95 has proven inadequate. A recent Colorado Open Records Act (CORA) request revealed only a handful of enforcement actions since its adoption in 1999, despite a substantial increase in riverfront development since the adjacent railroad line was deactivated, and particularly after the onset of COVID-19 in 2020.

A prime example is the Eagle River Enclave (ERE) condominium development, where both common areas and residential units have increasingly encroached upon the 30-foot setback. Since moving to the ERE in 2011, I have repeatedly appealed to both residents and the ERE Homeowners Association to respect the setback and enforce their own regulations, but these efforts have been largely ignored.

Over the years, ERE property owners have engaged in activities such as tree removal, replacement of native vegetation with non-native species, and construction of decks, patios, paths and fire pits within the setback. These actions not only damage the ecosystem but also set a dangerous precedent for future development along the riverbank.

In 2018, I brought this issue to the town's attention, prompting a review of riverfront development at the ERE. Scot Hunn, in a letter to the ERE board president, expressed the town's disappointment with the ERE's blatant disregard for building codes, design review standards, and zoning regulations. He offered assistance with permitting and inspections to ensure compliance.

However, the results of another CORA request revealed that only one resident had obtained the necessary permits since Mr. Hunn's letter, leaving multiple units in violation of Minturn's regulations. After filing Code Compliance Violation Witness Reports in 2024, my efforts to address these violations have been met with resistance and even hostility from some ERE residents and the HOA board.

I urge the Town Council to take immediate action to address these violations and protect the Eagle River. Specifically, I request the following:

- Reinstate the original "high water mark" definition in Section 16-17-95. This would provide greater protection for the riparian corridor compared to the current "ordinary high-water mark" definition.

- Implement a comprehensive education program. This program should emphasize the importance of the 30-foot setback and provide clear guidance on permitted activities within the riparian corridor.

- Conduct a thorough land survey. This survey would identify and physically mark the 30-foot setback along the entire riverfront, providing a clear visual reminder for residents and developers.

- Increase proactive enforcement. This includes regular inspections, requiring violators to restore damaged vegetation, and issuing fines for non-compliance.

- Consider a river restoration initiative. Model the successful "Restore the Gore" initiative in Vail to actively restore and enhance the Eagle River riparian corridor.

The Eagle River is an integral part of Minturn's heritage, and additional protection is crucial for the enjoyment of future generations. I urge you to take decisive action to preserve this invaluable natural resource.

Thank you for your attention to this urgent matter.

Sincerely,

Alex Markels

624 Main St. Minturn, CO 81645

## **8. COUNCIL COMMENTS & COMMITTEE REPORTS**

Gusty K. noted a Minturn Fitness Center board meeting and highlighted the programs and events.

Earle B. updated on potential federal lands that could be leased for workforce housing through a pending federal bill.

## **9. STAFF REPORTS**

### **A. Manager's Report**

#### **Bellm Bridge Planning Grant**

The Special Highway Committee has awarded Minturn \$297,823 for the design costs to begin the replacement of Bellm Bridge (award letter included). This is very exciting news! Minturn will now get underway on finalizing the review of a potential bridge replacement, including the review of the Dolores Bridge. Inter-Mountain Engineering has started evaluating the use of the Dolores bridge as a replacement option and although the length of the bridge is longer than the current span (map included), there may be options for a new bridge location if all parties are interested in evaluating such an option. Special thanks to Sustainable Strategies, SEH and Jeff Spanel for their work in submitting the grant application.

#### **Taylor Street Paving Open House**

The Open House for the Taylor Street repair and repaving project occurred on the evening of January 9th at Minturn town hall. Taylor Street residents attended and provided feedback on ways to improve drainage, slow traffic through the addition of dips in the road and other considerations. Jeff Spanel will now be compiling the feedback received and will provide an analysis to the Town Council prior to creating an RFP for construction services.

### **Eagle County Sheriff's Office**

I met with Sheriff Van Beek, Undersheriff Loya and Sargent Mosness on Thursday, Jan 9th to review Minturn's current services. As always, the ECSO is a pleasure to have as a partner and willing to look for ways to ensure Minturn is receiving a value for services. With Deputy Peterson's resignation, there will be a rotation in ECSO Deputies servicing the Town moving forward. The goal remains community policing and education wherever possible. The Sheriff extended an offer to attend an upcoming Town Council meeting to provide additional updates.

Brian R. noted that Deputy Peterson has resigned, he asked if that employee unit could be used for the Child Care use? Currently this is an occupied unit by the Peterson's and Mrs. Peterson is a teacher in the valley and therefore a qualified renter.

### **Municipal Traffic Code (2024 Update)**

Minturn staff will be working with Mike Sawyer and the ECSO toward adopting the 2024 Municipal Traffic Code (MTC). As a reminder, the hands-free legislation has gone into effect as of January 1, 2025, and it is therefore now against the law to have your phone in your hands while driving.

### **Department of Local Affairs (ELAF Grant Award)**

DOLA has awarded Minturn funds toward the repair/replacement of the retaining wall at Little Beach Park. This work will also include a new access road from the small basketball court to the stage. As part of this project Minturn requested to utilize the Town's match dollars to purchase a new playground. DOLA has denied this request. Minturn is now looking at utilizing cash funds within the Little Beach Park escrow account to include a new playground as part of the summer 2025 construction work.

## **B. Planning Report - Highlands Parcels Public Process**

Staff has been tasked with coordinating a public outreach and engagement process as the Town considers alternative uses for the "Highlands Parcels Nos. 1 & 2" located within the Bolts Lake area.

The Highlands Parcels Nos. 1 & 2 have been acquired by the Town as part of the Settlement Agreement executed in 2024 between the Town and Battle North. Parcels 1 & 2 present a unique opportunity for Town to achieve certain strategic and community plan policy goals while generating revenue specifically earmarked for the water enterprise fund which may be used to offset the design and construction of a new water treatment plant and/or offset water rates for the Town's citizens.

A [webpage](#) providing background information on the Bolts Lake area – specifically the Settlement Agreement and Highlands Parcels 1 & 2 – has been created; a short survey will go live the week of January 13<sup>th</sup> ; and staff will be working on preparing for an **open house to held Wednesday, January 29<sup>th</sup>, from 4:30pm-7:30pm at Town Hall.**

A link to the survey will be located on the Highlands Parcels webpage, will be distributed by e-blast, and the Town will include a link to the survey in the January Newsletter. Paper copies of the survey will also be available at Town Hall.

The format for the open house will include a series of stations with mapping and general information related to Parcels 1 & 2, along with opportunities for participants to ask questions, provide feedback through preference exercises, and talk with staff and other stakeholders about potential uses and issues related to Parcels 1 & 2.

The goal of this public engagement process – specifically the survey and open house – is to gather public input and preferences, ideas and concerns related to the future use or potential disposition (sale) of Parcels 1 & 2, to be considered by the Council when determining the highest and best use of the parcels.

The outcome of the public engagement process should also inform staff and the Council as to next steps which may include working with design and land planning professionals to create conceptual level land planning alternatives and scenarios.

Gusty K. asked to see how citizens might feel about selling the land to pay for the water plant. He felt that could be more clear.

Brian R. noted a video on the web page that would be helpful. drone video would be useful too.

Ms. Terry Armistead, address, asked to have all stakeholders represented to find the best fit for this land. This would include CDOW, USFS, etc. She also asked when the survey would be made available. Scot H. updated that he has contacted several and hopes they will be available at the next open house.

## **10. SPECIAL PRESENTATIONS**

Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.

## **11. BUSINESS ITEMS**

Items and/or Public Hearings listed under Business Items may be old or new and may require review or action by the Council.

### **A. Resolution 01 - Series 2025 A Resolution Approving the Official Town Posting Locations**

This is an annual Resolution setting the public posting sites and there is no change from previous years.

Motion by Eric G., second by Lynn F., to approve Resolution 01 – Series 2025 a Resolution setting the official Town posting locations as presented. Motion passed 6-0. Note: Kate Schifani was absent.

**B. Resolution 02 - Series 2025 A Resolution Approving a Business Partnership with Eagle Valley Child Care Association**

The Eagle Valley Child Care Association is requesting financial support toward the operations of a childcare facility located on Pine Street in Minturn. Minturn's only childcare facility, Pooh Corner, recently shut down, with little advance notice, leaving a dire need for many Minturn families who relied upon early childcare services. Eagle Valley Child Care Association completed the RFP process with the Eagle County School District and is looking forward to providing this service to the community. To keep costs down for families, EVCA is requesting a financial subsidy from the Town of Minturn. In return, EVCA offers the opportunity for five Minturn families to secure childcare services (see included proposal). Additionally, Minturn has two affordable housing units, located in town hall, which when available, are open to town staff, childcare employees, emergency services personnel and others.

Ms. Andrea Singletary, EVCCA, presented they are awaiting state licensure and hope to be officially open in the next week or so. She introduced Ms. Liza Lopez, who will be the onsite manager.

Lynn F. asked if a resident and a hospital worker would get double credits. Ms. Singletary noted that currently she has enrolled 14 Minturn citizens. She noted every effort has been made to represent Minturn fairly. The intent is to get as many Minturn citizens as possible and to represent all families as necessary.

Brian R. asked about open Board meetings and how best we could gain ongoing information. Other business partners have requested a quarterly update. Michelle M. recommended a quarterly update and then attendance during the budget hearing process.

Ms. Singletary noted an open house will be held to allow the public to visit the center.

Motion by Tom P., second by Eric G., to approve Resolution 02 - Series 2025 A Resolution Approving a Business Partnership with Eagle Valley Child Care Association as presented. Motion passed 5-1. (Gusty Nay) Note: Kate Schifani was absent.

**C. Resolution 03 - Series 2025 A Resolution Approving the Proposal for Services with Sustainable Strategies**

Michelle M. noted the funding for this contract is included in the budget, this agreement makes a change to renew on a calendar year to best fit the town budget.

Minturn has enjoyed a successful several years with Sustainable Strategies and looks to continue this work with an updated contract beginning in January 2025. With Minturn's limited budget and limited staff bandwidth, the Town relies heavily on grant awards to move projects forward. This has included funds supporting a new membrane water treatment plant, the extension of sidewalks on Main Street / US HWY 24, upcoming pedestrian and bicycle safety improvements to Railroad Ave and the North Main Street corridor, repair of the retaining wall at Little Beach Park and most recently the award for the planning of the Bellm Bridge replacement. Funds secured by Sustainable

Strategies over the past three years have equaled \$5,621,523. The cost of Sustainable Strategies over the same period was \$150,000, which is an excellent return on investment and more grant funding than Minturn has ever received prior.

Earle B. noted the process during Michelle's departure.

Lynn F. asked how the contract works; there is an annual retainer paid monthly. If we exceed the provided contract then there would be an additional funding requirement as needed.

Tom P. asked about the bridge replacement grant. We have an award letter but have not executed the contract; execution of the contract is the next step. Discussion ensued with the possible of reusing a bridge. Apparently the considered bridge is larger than what we can use.

Motion by Gusty K., second by Brian R., to approve Resolution 03 - Series 2025 A Resolution Approving the Proposal for Services with Sustainable Strategies as presented. Motion passed 6-0. Note: Kate Schifani was absent.

**D. Professional Services Agreement for an Interim Town Manager**

This item was pulled from the agenda.

**E. Special Event Liquor Permit - Bindu Memorial Fund / Town of Minturn**

Due to a timing issue tonight, Jay B. will present as staff and applicant. Council is asked to approve a Special Event Liquor permit for the Bindu Memorial Fund/Town of Minturn for an event to be held January 31, 2025 at the VSSA located at 1 Academy Loop In Minturn. The intent is that the Bindu Memorial group will run the event and Minturn will carry the license as the registered nonprofit. Beer has been donated for sale by the cup thereby requiring the permit. This event is an annual event and no issues have been associated in the past.

This item requires a Public Hearing and Staff is recommending approval.

Public Hearing Opened

No Public Comment

Public Hearing Closed

Motion by Gusty K., second by Tom P., to approve the proposed Special Event Permit to sell Malt, Vinous and Spiritous liquor beverages to be located as defined in the attached application as presented. Motion passed 6-0. Note: Kate Schifani was absent.

**F. Resolution 04 - Series 2025 A Resolution Approving Preliminary Plan and Preliminary Plat for Midtown Village PUD**

The Applicant, Midtown Lofts, LLC, requests review by the Town Council of the Midtown Village Preliminary Plan for PUD as well as the companion application for a Preliminary Subdivision Plat (To legally subdivide and create underlying tracts associated with the proposed PUD), collectively



referred to in this report as the *Preliminary Development Plan*. An application for Amendment to the Official Zone District Map (to change the underlying/existing zoning from South Town Character Area “Commercial Zone” to the “Midtown Village PUD Overlay Zone”) was submitted as well, however official action should not be taken on this application until Final Plan and Final Plat.

Madison H. presented for the record the staff report and read such into the record. Mr. Jeff Armistead was present as the developer.

The following suggested conditions of approval are provided as an initial list (to be added to during the hearing process if necessary and appropriate) in the event the Town Council takes action to approve the Preliminary Plan for PUD with conditions.

1. All representations of the Applicant related to how the project complies with provisions of the Code or promises or concessions that the Applicant is willing to make as part of an approval are binding on the Applicant.
2. Work with the Town Attorney and Town Engineer to ensure that all sheets, easements, and other matters on the Final Pat and 100% civil engineering drawings are accurately and clearly labeled.
3. Work with the Town Attorney and Planning Director to ensure that the PUD Guide contains only matters relating to land use, development standards, and zoning, and the PUD Narrative contains other matters relating to the prosecution of the development, including phasing, future subdivisions, allocation of water, and temporary uses. Many of these matters will also be reflected in the SIA.
4. Work with the Town Attorney and Town Engineer on SIA to include final Engineer’s Estimate of Probable Costs (EEOPC) for public improvements, security, restricting development of future of development at 22.5 SFEs until the Water Moratorium (Ordinance No. 2, Series 2023 as such may be amended) or other provisions in the Town Code allow for development in excess of this number, phasing of development, landscaping, additional permits, and other construction related matters.
5. Work with the Town Attorney on any recommended revisions to the Master Declaration of Covenants, Conditions, and Restrictions for the Midtown Village Homeowners Association.
6. Work with the Town Attorney on inclusionary housing policy, transfer covenants, and deed restrictions to ensure that these covenants and deed restrictions have appropriate priority and enforcement mechanisms.
7. Work with the Town Attorney and Planning Director to resolve any of the outstanding matters from previous referral letters and applicant responses.
8. Work with the Town Attorney and Planning Director to review and revise the Midtown Village PUD Housing Plan to identify opportunities to increase the number of price-capped, for-sale units; to lower the initial sales price for deed restricted, price-capped units from 200% AMI to a range between 120-140% AMI; and to include price appreciation caps for any deed restricted, price-capped for-sale unit resales.
9. The section relating to alternative definition of SFEs in the PUD Narrative is deleted in its entirety.
10. Language shall be added to the SIA requiring that Phases 3-5 comply with additional CDOT traffic studies as required by CDOT at the time of application.

Brian R. asked about landscaping and if we require landscaping that requires water? Scot H. noted yes, and detailed how that reads in the code.

Gusty K. asked about the density. This was discussed and how the project is phased due to the lack of water taps. Gusty K. also asked about the natural trail, would it be dirt? This was reviewed.

Eric G. asked about the proposed solar array, it was noted all is to be built for EV needs.

Lynn F. asked about the access being a single point, Jeff Armistead noted this is a requirement of CDOT and confirmed it reduces what they currently available for the property.

Tom P. discussed the proposed employee housing.

Public hearing opened.

Madison H. noted a comment in the packet from Ms. Anderson, 962 Main St was opposed to the setback variance and expressed concerns with one access point causing traffic issues.

Public Hearing Closed

Motion by Tom P., second by Gusty K., to approve Resolution 04 - Series 2025 Approving the Midtown Village Preliminary Development Plan for PUD and Preliminary Plat because the applications conform to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan as presented with the stated conditions. Motion passed 6-0. Note: Kate Schifani was absent.

**G. Ordinance 01 - Series 2025 (First Reading) An Ordinance Amending Chapters 16 and 19 of the Minturn Municipal Code Adding Flexibility Options for Historic Preservation of Structures**

Madison H. presented.

As part of Council's review of Ordinance 20 - Series 2024 amending Chapter 16 - Zoning and Chapter 19 - Historic Preservation, Council directed the HPC to vet additional options to encourage flexibility and economic sustainability for owners of historic properties. At the October 15, 2024 HPC meeting, staff was given direction to implement Buena Vista's Sec. 19-9 into the Town's code. Staff also received direction to draft language regarding reduction in setbacks, building coverage and impervious coverage limitations. At the November 19, 2024, meeting HPC gave staff feedback on specific wording regarding setbacks. That wording has been updated and received a recommendation of approval from HPC to the Town Council. The ordinance was presented to the Planning Commission at the January 8, 2025, meeting for their recommendation to the Town Council. There was discussion that these changes (setbacks, impervious coverage, etc.) might negatively impact neighboring properties and that historic properties should remain looking historic and so additional development should not be encouraged on historic properties. The

Planning Commission voted unanimously to forward a recommendation of denial to the Town Council.

Gusty K. felt this should be taken up AFTER the property study is completed. He supported the unanimous recommendation of denial by the Planning Commission and he was concerned that the distance between buildings is too narrow for fire mitigation.

Brian R. asked about public comment at the other meetings. There has been minimal.

Lynn F. noted the properties that have been historically designated and the importance of this process.

Earle B. noted the fire dept would rather have connected buildings than small setbacks. He discussed the need to improve the buildings to increase commercial uses.

Public Hearing Opened.

Mr. Tim McMann, Avon, spoke and recommended council follow the Planning Commission recommendation.

Public Hearing Closed.

Motion by Lynn F., second by Brian R., to approve Ordinance 01 - Series 2025 (First Reading) An Ordinance Amending Chapters 16 and 19 of the Minturn Municipal Code Adding Flexibility Options for Historic Preservation of Structures as presented. Motion failed . (Yay: Lynn F. and Earle B.

**H. Ordinance 02 - Series 2025 (First Reading) An Ordinance Amending Chapter 16, Article 17 of the MMC in Regards to Cut-Off Times for Holiday Lighting**

Recently, the Town reviewed and adopted minor revisions to Section 16-17-180 - *Exterior illumination standards*, to allow for seasonal uplighting of the historic Minturn Water Tank for Town purposes. During their deliberations to approve Ordinance No. 19, Series 2024, the Minturn Town Council discussed the Town's dark or "night" sky lighting restrictions as well as exemptions within the Minturn Municipal Code that allow for holiday or ornamental lighting. The Council was most interested in understanding how the Town regulates or enforces exterior lighting restrictions and whether there should or could be limits placed on the time of day when non-permanent holiday lighting can be displayed. Staff were then directed to facilitate a follow-up discussion related to holiday lighting.

At the regular Council meeting of November 20th, 2024, staff presented existing lighting regulations and definitions for "Exterior lighting" and "Holiday/ornamental lighting" and highlighted some issues with the current regulations and definitions. Namely, the current definition of holiday/ornamental lighting is problematic because it states that holiday or ornamental lighting means "festoon lighting." Staff disagrees with this (holiday lighting and "festoon" or café-style lighting are different) and, ultimately, the Council gave direction to staff to present an ordinance

amending Section 16-17-180 to update the definition of “Holiday lighting” and to add a separate definition for “Festoon lighting” – to differentiate between the two forms of lighting and, therefore, to allow for better regulation of both.

Additionally, the Council gave staff direction to amend Section 16-17-180 to add a time limit (dawn or sunrise to 10pm) when holiday lighting can be turned on, while allowing festoon lighting – typically considered “café” style lights that people use in their backyards year round or which are used for commercial outdoor seating year round – to be considered as permanent and therefore not limited to time limits that will apply to holiday lighting.

This ordinance received a unanimous recommendation from the Planning Commission for approval.

Public Hearing Opened  
No Public Comment  
Public Hearing Closed.

Motion by Gusty K., second by Tom P., to approve Ordinance 02 - Series 2025 (First Reading) An Ordinance Amending Chapter 16, Article 17 of the MMC in Regard to Cut-Off Times for Holiday Lighting as presented. Motion passed 6-0. Note: Kate Schifani was absent.

## **12. DISCUSSION / DIRECTION ITEMS**

### **A. Consideration to amend the Short-Term Rental regulations to require 2-year residency instead of ownership**

Council to discuss and give staff direction on potentially drafting code language to amend the Short-Term Rental regulations to require 2-year residency instead of ownership. At the June 19, 2024, Council meeting, there was a discussion spurred by input received on the Community Survey in regards to Short Term Rentals and recommendations from Council members. Due to the breadth of that discussion, it was recommended that there be a separate discussion regarding 2-year residency requirements. Since the introduction in 2017 of Minturn’s Short Term Rental policy, little has changed. It has been observed that in the last couple of years, there have been a couple of instances where property owners will use the current 2-year ownership requirement as the time to go through the Design Review and Building Permit process, and, once they’ve received their Certificate of Occupancy, the two years have passed and the property immediately becomes a Short Term Rental. One way to address this is to require 2-year residency (either owner occupied or a long-term rental) post the issuance of a Certificate of Occupancy on top of the two-year ownership requirement. Please note that this would likely have less impact on people who acquire a property that has an existing residential unit. If the property owner does not plan to tear down and rebuild, they would still have to own the property for two years prior to any issuance of a Short-Term Rental license. Staff would like the Council to discuss and give direction on any potential amendments to the Short-Term Rental regulations in Chapter 6, Article 7 of the Minturn Municipal Code. In the Community Survey completed in April 2024 and presented to Council, many residents expressed worries about the impacts of short-term rentals on the availability of locals housing.

There were some suggestions for further tightening regulations on STRs and some residents felt the need for stronger enforcement.

Discussion ensued on the merits of the current regulations.

Brian R. was in strong support of the two-year ownership program. He felt if the owner is a full time resident and STR's a portion that should not have the ownership restriction.

Spence Neubauer, 444 Eagle River St, felt the program is currently working and should not be changed.

Direction was to come back with an ordinance that includes among other items:

- The house must be a primary residence or a long-term rental for two years
- If the owner lives in it, they can str a portion of the home prior to two years.

### **13. FUTURE AGENDA ITEMS**

Discussion of 30ft setback

### **14. ADJOURN**

Motion by Tom P., second by Brian R., to adjourn at 8:34pm.

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Earle Bidez, Mayor

ATTEST:

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Jay Brunvand, Town Clerk

### **INFORMATIONAL ONLY ITEMS**

Upcoming Council Meetings:

- February 5, 2025
- February 7, 2025 - February First Friday at The Crazy Chicken (Event to include a SS4A Pop-Up to gather community feedback)
- February 19, 2025
- March 5, 2025
- March 7, 2025 - March First Friday at Vail Mountain Coffee & Tea