



OFFICIAL MINUTES

Town Council Regular Meeting | 5:30 PM

Wednesday, November 06, 2024

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 of agenda items listed are approximate.

This agenda and meetings can be viewed at 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/81111580512>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 811 1158 0512

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 5:30pm.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council present Mayor Earle Bidez, Mayor Pro Eric Gotthelf (zoom), Town Council members Lynn Feiger, Gusty Kanakis, Tom Priest, Kate Schifani, and Brian Rodine.

Staff present: Town Manager Michelle Metteer, Town Planner Scot Hunn, and Town Clerk Jay Brunvand (zoom).

3. 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.** 10/16/2024 Meeting Minutes
- B.** 0023-0025 Belden Way - New Duplex Residence
- C.** 0027-0029 Belden Way - New Duplex Residence
- D.** Certificate of Appropriateness - Relocation of Meyer's Barn from 25 Harrison Avenue to Little Beach Park
- E.** Liquor License: Deutschman Family LLC, DBA Kirby Cosmos BBQ Bar annual renewal of a Hotel and Restaurant Liquor License, Mark Tamberino Owner/Manager, 474 Main St
- F.** Liquor License: The Bunkhouse annual renewal of a Lodging and Entertainment (City) Liquor License, Nancy Richards Owner/Manager, 175 Williams St.
- G.** Liquor License: Pizza Pub, DBA Magustos annual renewal of a Hotel and Restaurant (City) Liquor License, Eric Cregon Owner/Manager, 101 Main St.
- H.** Liquor License: MEATUNA, DBA The Crazy Chicken annual renewal of a Hotel and Restaurant (City) Liquor License, Kyle Fowler Owner/Manager, 455 Main St.

Lynn F. Recused herself due to a conflict.

Motion by Kate S., second by Gusty K., to approve the Consent Agenda of November 5, 2024, as presented. Motion passed 6-0.

4. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Gusty K., second by Tom P., to approve the Agenda of November 6, 2024, as presented. Motion passed 7-0.

5. DECLARATION OF CONFLICTS OF INTEREST

6. 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.

7. COUNCIL COMMENTS & COMMITTEE REPORTS

Gusty K. attended Highfive Media meeting and updated.

Earle Noted Core Transit has been awarded a professional award from the state.

8. STAFF REPORTS

A. Manager's Report

Minturn Bike Park Security Gate

Town staff met with VVMTA representatives and Strategic Fencing for the installation of a security gate at Little Beach Park. This gate has been requested for several years by VVMTA management and should be a good addition toward better securing Minturn's assets. The gate is expected to have the ability to automatically open and close on a timer basis.

Safe Streets for All (SS4A)

We held our second virtual stakeholder working group meeting on Tuesday, October 29th. This effort, funded by a federal Department of Transportation grant, is expected to culminate in a Safety Action Plan whereby Minturn can focus on needed safety improvements throughout town. If any Council members are interested in participating in the Stakeholder Working Group, please let me know. If you are interested in providing comments on the safety concerns of Minturn's side streets, please go to the Story Map at:

<https://storymaps.arcgis.com/stories/94f6745fea5049db8ca5d0ab604fc248>

Eagle County Draft Open Space Plan

I attended a community open house held at Colorado Mountain College the evening of Monday, October 28th to review the draft Eagle County Draft Open Space Plan. This plan outlines the recommended efforts the County should adopt for the acquisition of parcels large and small. In the Plan, Minturn's geographic area is identified within the "Headwaters" area. It is acknowledged in the Plan, that given the cost for land in the Headwaters area, acquisition may need multiple support partners and creative strategies. For more information and a video overview of the Plan, go to <https://storymaps.arcgis.com/stories/db60a76e06f14fcb98c2479c0bc3c043>.

Little Beach Park Grants

Minturn was awarded \$147,000 through a DOLA EIAF Tier 1 grant application. This is an exciting announcement as these funds will allow the town to repair the failing retaining wall in the playground area. This grant requires a 50% match and because Minturn was not awarded the larger GOCO grant application, the Town will request to match these funds with the installation of a new playground area. We are in the process now of determining approval for this request.

2024/25 Taylor St Snow Removal

Minturn staff is preparing informational flyers and will be taking those flyers door to door along Taylor St to communicate the upcoming seasonal snow removal efforts. This will be done in a positive way with an effort toward problem solving. Staff understands the residents of Taylor St are accustomed to pushing their snow across the street however adjustments will need to be made this season due to the safety fencing for the Minturn North project. We are hopeful that by going door to door and trying to talk to residents individually, this will be a smooth adjustment.

HWY 24/Main Street Speed Feedback Signs Installed

CDOT has donated two speed feedback signs that have been installed, programmed and are now operations. One sign is located heading southbound just before the "S" curve by Minturn Anglers

and the second sign is facing northbound close to the Boneyard Open Space property. Special thanks for the donations from CDOT which we hope will help inform drivers of their speed. Minturn has been optimistic about this opportunity to help/assist drivers in being more aware of their vehicle speeds.

Main Street Bulb Outs

I have continued to talk with Jeff Spanel about finding ways to install permanent bulb outs. A permanent bulb out, although significantly more expensive, would be smaller in size and of a more “traditional” shape as the side street stop sign would be allowed to move into the Main Street right of way, increasing line of sight without eliminating excessive parking. The other complication to the permanent option is drainage. Intermountain Engineering has studied Minturn’s intersections and the permanent bulb outs would require moving the storm drains entirely or taking measures to allow the drainage through the bulb out. After review, it appears that allowing drainage through the bulb out comes with a variety of complications that would need addressing. We continue to study this option.

Nelson St Heat Exchange Opportunity

Jeff Spanel and I met with Eagle River Whisky representatives and discussed the opportunity to increase safety on Nelson Street and the hill on Nelson by adding a heat exchange option that would take the wasted heat generated by the distilling process and convert it to a snowmelt system for the road/hill. This is still in the exploratory phase, however given that the Town is considering the repaving of Nelson St, the timing would be appropriate as a combined project. Costs associated with such a project require more research and we will continue to provide the Council updates as more information becomes available.

Main Street Speed Limit Enforcement

Unless otherwise directed by the Town Council, Minturn is shelving the AVIS speed radar enforcement option for increasing safety on Main Street.

Other updates

- Follow up meeting with CDOT and discussed the speed radar program. CDOT/AVIS will be in the county next week and she encouraged council members that have questions should reach out to them. They discussed the bulb outs, she is working with them to re-review the proposal to shrink the areas. They have agreed to consider this.

Brian R. felt they were not being clear when they met previously. He asked if items were addressed regarding traffic calming, ability to file for crosswalks/beacons at cemetery bridge, and a speed study. Michelle M. confirmed yes, and she has asked the Sheriff’s office for a “Ghost Car” and they will see what can be done.

- She thanked all of the Clerks that helped in the election process and specifically noted Deputy Clerk Cindy Krieg and Town Clerk Jay Brunvand. She thanked our local judges Elmer Christiansan and Jill Kanakis.

9. SPECIAL PRESENTATIONS

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

A. Phase II Main Street Sidewalks Update - Celeste Shinn

Ms. Celeste Shinn, Stolfus Eng, gave a presentation on the status of Phase II of the sidewalk project. The project was originally proposed to run from its current terminal point to the entrance of the Boneyard Open Space. Due to limited funding and increased costs, the Phase is now proposed to run less than 1/3 of the original design (3590lf down to 923lf). Our original project has increased to \$3.5M, the revised funding, which matches our funding amount is \$1.53M. the most expensive portion is the underground drainage system work. The revised amount includes purchase of the permanent easement. This will help us in future grant applications and purchase that in today's dollars. It was noted this is the most expensive portion of this phase. The second portion of this phase is in grant acquisition.

Discussion ensued as to the inflation rate and why the east side was chosen to put the sidewalk. It was stated that in previous discussions the east side would be built if necessary as that would get pedestrians to the park.

B. Regional Housing Needs Assessment - Patti Lierman

Ms. Jena Skinner and Rachel Shindman presented and reviewed the data summary and initial findings from the Eagle County Regional Housing Needs Analysis. The study noted growth trends including an aging population and median household income of approximately \$100k/annually. It was noted approximately 40% of housing units county-wide are vacant for vacation rentals and second homes. The County population is 55,300, grows on average 0.5%, and is mostly growing down valley and/or unincorporated areas. The study included in-depth costs analysis, income averages, and population calculations for the various towns, county, and regions within the county. The study shows that "affordable" is defined as not more than 30% of a household's gross income. However, it is noted that housing in Eagle County, including Minturn, is minimum 300% of the AMI needed, a rental rate shows a similar disparage.

The next steps in completion of the study are Focus Groups, Gaps and needs, Finalize data and report, options and strategies, and then to disburse the report county wide.

Lynn F. felt it was good, but information is a frightening reality.

Tom P. asked about 2nd homeowners and how to get more permanent housing. He noted that housing diversity needs to be considered.

Earle B. asked how other similar communities are handling their housing concerns. There is a lot of idea sharing and good ideas but no true long-term solutions.

C. EVLT Presentation

Ms. Keri Inouye, Eagle Valley Land Trust Community Engagement Manager, presented. The EVLT focus areas are Land Conservation, stewardship, community engagement, and advocacy. An example of land conservation is the Minturn Boneyard.

10. 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 59 - Series 2024 A Resolution approving a Managed Services Agreement with MuniBilling

Michelle M. and Jay B. presented. Minturn currently contracts with ERWSD to read our meters remotely and then bill our customers for their monthly water, volumetric, debt service uses and trash service in addition to ERWSD sewer fees. This agreement will allow Minturn to read our own meters and submit that data for billing. Although this will not be fully handled in-house, we will still utilize outside sources for both, Minturn will own the data and infrastructure. In so owning, we will be able to cost effectively manage the customer accounts in-house. On a per call basis, town staff will be able to view, discuss, and manage the monthly data with the customer. Currently this is done through proprietary software owned by ERWSD and they also bill us for the services provided. For many years the ERWSD contract has been a benefit to the town. Over the years the cost has increased, and the service levels and the integrity of the data and customer service seem to have decreased. With this new system as proposed, the town will not be a customer of ERWSD, rather we will manage the data, interact with that data and the customer concerns, and manage the data on a daily basis in partnership with MuniBilling.

Currently the town is not able to offer or address daily high use customer concerns, this new process will allow the town to monitor use with multiple data points daily, as well as a more specific water use of our entire system.

Staff deals with customers every day. They call me, give me the details, I contact ERWSD, recontact the customer for a resolution. Often this process is a back-and-forth process and very time consuming; leading to expressed complaints and miss understandings.

BUDGET / STAFF IMPACT:

Resolution 59-2024:

Spectrum Manager Lease Agreement/Sensus costs result in an annual operation and analytics fee of \$13,000 and a one-time setup fee of \$24,988. The setup fee includes the installation, integration, and programing fees for the radio read tower that will be installed on the #2 water tank. Currently, this is included in the ERWSD monthly fee.

Resolution 60-2024:

The town pays a monthly service fee of \$3,413; this fee increases annually. By way of example, the fee was \$1,060 in 2021 and has more than tripled in three years. We were informed this year that, if we wanted the full services that we can offer with this new system, it would run over \$90,000 annually. To boot, they are currently not even able to offer the expanded services without much more town commitment.

The new process covered by these two agreements will cost:

Monthly billing services \$2,388 (one-time total system setup cost of \$2,750)
Monthly meter reading services \$1,000 (one-time total system setup cost of \$25,000)

There will be other associated costs as we get rolling but this should prove to be a significant savings overall.

ERWSD estimated annual costs: \$90,000

Total estimated start up costs with new system: \$68,406
2nd year estimated annual costs: \$40,656

Motion by Gusty K., second by Eric G., to approve Resolution 59 - Series 2024 A Resolution approving a Managed Services Agreement with MuniBilling as presented. Motion passed 7-0.

B. Resolution 60 - Series 2024 A Resolution approving a Lease Agreement with Spectrum Lease (Sensus USA)

Motion by Tom P., second by Kate S., to approve Resolution 60 - Series 2024 A Resolution approving a Lease Agreement with Spectrum Lease (Sensus USA) as presented. Motion passed 7-0.

C. Fiscal Year 2025 Budget - Public Hearing

Michelle M. and Jay B. presented. As required by Colorado law, the Town has set one Public Hearing for the FY2025 Budget, this November 2nd meeting. Although further discussion will ensue through final adoption of the budget on December 4, 2024 and the public will be allowed to comment at each meeting, this is the one and only official Public Hearing. To date, Staff has taken your comments and suggestions and incorporated them into the FY2025 Budget as well as comments and direction given during the previous several meetings which have occurred over the past several months. In the event any material changes come forth from the Public Hearing process or Council direction, those changes also will be included in the scheduled final passage of the budget ordinances on December 4th. I will distribute an updated budget document thereafter as the final changes are processed. As a reminder, depending on the outcome of the November 5 election, it is possible we will see both the approval of the proposed Short Term Lodging Tax increase (1.5% increased to 6.5%) applied to residential STR's only as well as a proposed Downtown Development Authority creation. Further, in August, the state legislature made changes in the assessment and calculation of both residential and commercial property taxes. As previously discussed, the budgeted property tax revenue does include these changes.

During tonight's presentation, Council will be asked to consider several funding options in the 2025 budget. This direction will be included as appropriate in the final 2025 budget.

Public Hearing opened

No Public Comment

Public Hearing Closed

No motion is requested. At the 11/20 Council Meeting we will have first reading of the Ordinances to pass the budget with second reading on 12/4. It was noted this is the official Public Hearing on the Fiscal Year 2025 Preliminary Budget and citizens are encouraged to contact the Town Hall with questions or comments during regular business hours at 827-5645.

11. DISCUSSION / DIRECTION ITEMS

12. FUTURE AGENDA ITEMS

A. Future Meeting Topics

13. ADJOURN

Motion by Kate S., second by Tom P., to adjourn at 8:00pm.

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings:

- November 11, 2024 - Town Hall Closed (Veterans Day)
- November 20, 2024
- November 28 & 29, 2024 - Town Hall Closed (Thanksgiving)

- December 4, 2024
- December 18, 2024
- December 25, 2024 - Town Hall Closed (Christmas Day)

- January 1, 2025 - Town Hall Closed (New Year's Day)
- January 1, 2025 – Council meeting Canceled