



Official Minutes

Town Council Regular Meeting | 5:30 PM

Wednesday, June 18, 2025

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/87472228361>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 874 7222 8361

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 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 5:32pm.

2. Roll Call and Pledge of Allegiance

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

Staff present: Town Attorney Harper Powell, Town Manager Rob Gutierrez, Deputy Clerk Cindy Krieg (via Zoom), and Town Clerk/Treasurer Jay Brunvand. Town Attorney Mike Sawyer joined the meeting via Zoom at 7pm.

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.** Minutes 06-04-2025
- B.** Liquor License - Temporary Tasting Room at Minturn Market - MoxYcello
- C.** Liquor License Renewal - MT Imports, Inc. (dba Vino)
- D.** Liquor License Renewal - Vail Mountain Coffee & Tea
- E.** 0111 Miles End Lane - New Single Family Residence
- F.** 0071 Miles End Lane - New Single Family Residence

Motion by Gusty K, second by Tom P, to approve the Consent Agenda of June 18, 2025 as presented. Motion passed 6-0. Note: Kate Schifani was excused absent.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G, second by Gusty K, to approve the Agenda of June 18, 2025 as presented. Motion passed 6-0. Note: Kate Schifani was excused absent.

5. Declaration of Conflicts of Interest

N/A

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 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.

Public Comment Opened.

No Public Comment.

Public Comment Closed.

7. Council and Committee Reports

Gusty K:

High Five Media is hosting a youth film camp July 14 & 18, info available at highfivemedia.org. Only 2 spots left.

Attended the QQ Water Authority meeting today, it was discussed that the Colorado River Basin states are using more water than supply available. The situation is getting worse, and there is a deadline to come up with a plan within one year or it will be turned over to the Department of the

Interior to do so.

Colorado Senator Dylan Roberts attended the meeting and mentioned that the state budget was cut by 1.2B and that is affecting a lot of state revolving funds.

He suggested looking into a severance tax, which is a tax on energy extraction within the taxing jurisdiction. He also mentioned sports betting tax, which is mostly currently going to water projects. That is something we could look into and apply for.

Lynn F – Has taken on the role of Treasurer on the board of the ERFDP. She was not expecting to be asked to serve in that role and it is proving to be very time consuming. Lynn is requesting to resign from her wildlife committee position so she can devote the necessary time to the ERFDP role. Brian R. said he could take on the wildlife committee position. Jay B. said he would ensure Brian gets the necessary information.

Earle B – Red Flag Warning / Extreme Fire Danger. Very dry conditions forecasted for the next week, encouraged everyone to use extreme caution. There was a fire this evening in Wolcott which resulted in a highway closure. Fire danger / Red Flag Warnings are posted on the town website and social channels. Additionally, it was discussed that this be added to the Town's VMS.

Earle B. listed off all of the upcoming Town special events, as well as the Zoning Update open houses.

8. Staff Reports

A. Manager's Report – Town Manager Rob Gutierrez:

Meetings

Attended

June 9th Zoning Update Open House

June 11th Mayor Earle Bidez; Minturn Planning Commission

June 12th Town Attorney Mike Sawyer; Siri Roman ERWSD

June 13th Stefanie Neubauer Minturn Whiskey; Councilor Lynn Feiger

Upcoming

June 16th Tim McGuire

June 17th Eagle County Commissioners; Eagle County Housing Authority

June 18th Summer QQ Meeting NWCCOG; Regional Housing Action Plan

June 25th Eagle County Community Wildlife Roundtable

June 27th Strategies DC

July 1st Core Transit 10-Year Transit Plan

*Scheduling Councilor one-on-one meetings for those interested.

Key Projects

Minturn Water Treatment Plant

I received the 60% design documents from Jarod Limke, our contracted engineer with HDR, on Thursday, June 12th. As of this report, I have only completed a preliminary review of the submittal. I met with Jarod on June 10th to review the project's history to date. He reported that cost estimates being prepared by the construction firm Glacier are several weeks behind schedule

but should be available by the July 10th workshop meeting. On June 13th, I had a follow-up discussion with Jarod regarding the potential incorporation of additional redundancy features for pretreatment, should they become necessary in the future. We also discussed the option of shifting from a Design-Bid approach to a Construction Manager At-Risk (CMAR) model to help manage the project. Jarod noted some of the initial challenges associated with using CMAR in light of the Congressionally Directed Spending awarded to the town for the project. I will explore this further in the coming weeks.

Little Beach Park & Historic Meyer's Barn

I met with staff on June 11th to review the planned park improvements and the proposed relocation of the historic Meyer's Barn. Town Engineer Jeff Spanel is moving forward with the design of the retaining wall replacement and the new access road. I requested an expansion of the topographical survey to include the southern portion of the property, as well as a contemporary boundary survey. Once the survey work is complete, staff will assess the data to determine the most suitable location for the barn's placement. I am working to schedule a meeting with the team involved in the relocation and reconstruction of the barn on Thursday, June 19th. We have until September to prepare construction-ready documents for work eligible for grant funding, and we remain confident that this timeline can be met.

Rob G. also noted that he and Planning Director Scot Hunn met with the Eagle County Regional Housing Authority on 6/17. It was discussed that the housing authority may be looking to move to a multi-jurisdictional structure, which may be helpful since their resources are currently pretty stretched. They are still figuring out the best way to serve our local communities as they grow and add more housing projects.

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.

No Special Presentations

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. Review and Acceptance of FY2024 Audit - Motion Required

Town Auditor, Joe Hood of Maggard and Hood, was present via zoom to present the findings of the audit. It was noted the audit is required by state law to be conducted annually and that the town is in good standing with a clean audit.

Mr. Hood noted the audit was completed and there are no concerns, we have a clean un-modified audit for the town. The General Fund and the Enterprise Funds both had positive financial growth in 2024 overall. Sales tax was relatively flat to the previous year. The general fund increased \$506K. The Battle Mountain Resort special revenue fund was closed, since that was settled in 2024. The post office facility rental was \$22K for the year, those funds are transferred annually over to the capital projects fund for long-term maintenance of town assets. The enterprise fund

grew significantly primarily due to tap fees from new development (Minturn North).

Lynn F. inquired about the Battle Mountain parcels that we received in 2024, and felt those assets should be included in the audit. This was finalized in 2024.

Jay B. noted that the value of the property has not yet been determined, so he felt this would hit the 2025 financials.

Mr. Hood noted, after some discussion by Council about this topic, that it sounds like he and Jay need to have further discussion before the audit is accepted. They will review and determine how to best approach this.

Direction from Council is to continue to the 7/16 meeting to allow time to address this.

B. Resolution 23 - Series 2025, A Resolution Awarding the North Main St. Improvements RMS Project - Requesting a motion to continue to a date certain

At the June 4 meeting this item was continued, Staff is requesting this be continued to a date certain.

Motion by Eric G, second by Gusty K, to continue Resolution 23 - Series 2025, A Resolution Awarding the North Main St. Improvements RMS Project be continued to the July 16, 2025 meeting. Motion passed 6-0. Note: Kate S. was excused absent.

The Highway 24 Sidewalk project continuation was also brought up by Council. Rob G. noted that we received 4 bids (deadline was June 16th). The Town is currently in the bid review process (through 6/24). Final selections to be made on June 25th.

C. Resolution 24 - Series 2025, A Resolution Reappointing DDA Board Members

The DDA Board is a five member board appointed with “four year staggered terms from the date of their appointment; The initial staggered terms are set by State statute and cannot be changed. Two of the initial terms expire on June 30, 2025, even though those board members were just appointed in early March. (The DDA was formed in December, following the November election, and the board was appointed on March 5th).

Staff has re-advertised these two board seat openings, and has received (2) applications from the existing 2 board members whose terms are expiring (Morgen McLaughlin and Joe Delude). Council is asked to reappoint these 2 board members. Their terms will then become 4-year terms.

Applicants:

- Joe Delude (Business owner downtown)
- Morgen McLaughlin (Residential and commercial property owner downtown)

Motion by Lynn F, second by Gusty K, to approve Resolution 24 - Series 2025 re-appointing two

members of the Minturn Downtown Development Authority Board of Directors as presented. Motion passed 6-0. Note: Kate S. was excused absent.

D. Resolution 25 - Series 2025, A Resolution Authorizing an Intergovernmental Agreement between the Town of Minturn and the Minturn Downtown Development Authority

Approval of Resolution No. 25 – Series 2025, authorizing up to \$15,000 in seed money for the Minturn Downtown Development Authority (DDA) Plan of Development project, and authorizing the Town Council to enter into an intergovernmental agreement (IGA) with the Minturn DDA for Town staff support, services, and seed money.

The Minturn Downtown Development Authority (DDA) was recently formed to support and revitalize the economic vitality and overall character of Minturn’s downtown area. In its formative stage, the DDA is focused on establishing its operational framework, vision, and long-term goals. During this critical period, collaboration with the Town of Minturn is essential to ensure the DDA is effectively launched and positioned for success. The DDA respectfully requests the Town Council’s consideration and approval of an Intergovernmental Agreement (IGA) that formalizes the provision of certain administrative and operational support by the Town for a limited term.

Lynn F. inquired about how the DDA is funded, and specifically asked about bonding.

Discussion took place regarding Tax Increment Financing (the funding mechanism for the DDA). There were still some questions about that, but this will be discussed further outside of this meeting, since this is not part of the IGA discussion.

Cindy K. and Rob G. will follow up with Lynn and Council with further education on TIF / DDA funding. This will also be discussed at the upcoming workshop during the Plan of Development work that will be done this fall.

Motion by Eric G, second by Tom P, to approve Resolution 25 - Series 2025, A Resolution Authorizing an Intergovernmental Agreement between the Town of Minturn and the Minturn Downtown Development Authority. Motion passed 6-0. Kate S. was excused absent.

11. Discussion / Direction Items

A. 2024 Model Traffic Code - Adoption Recommendations with Amendments

Direction is needed from Council regarding adoption of the 2024 Model Traffic Code, including direction on proposed / suggested amendments from legal. Periodically the Model Traffic Code is revised by the State of Colorado. Town staff / legal will be drafting an adoption ordinance for consideration, designed to ensure Minturn is on the most recent code for uniformity purposes. The Town has included amendments to the State version designed to best fit Minturn's situation. This item is currently in the discussion / direction phase, so that we can tailor the ordinance to fit our needs.

A summary of the recent changes include:

- New impaired driving program updates have been implemented
- 42-4-239 makes it illegal for individuals 18 or older to text while driving
- 42-3-103 now requires motor vehicle owners to register within 60 days of purchase
- Changes around low-powered scooters, low-speed electric vehicles, restrictions on minor drivers (MTC 116), personal mobility devices, and wildlife crossings
- Some changes to the points assessed for speeding violations:
 - Speeding 40+ over is now a 12 point violation
 - Speeding 5 – 9 over was changed from a 3 point violation to a 1 point violation

The 2024 Model Traffic Code supersedes all previous versions and encompasses changes through the 2023 legislative session. Municipalities are encouraged to adopt the latest version of the code by reference to ensure consistency and stay current with state traffic laws. This process streamlines ordinance drafting and ensures access to the most up-to-date regulations and recommendations. Staying updated with the model code helps maintain consistency with other jurisdictions (especially with the ECSO) and ensures compliance with the state.

There are some amendments to the MTC that the Town may wish to consider. Specifically, we'd like to flag the following provisions:

- Section 106 – Subsection (3) allows local authorities to impose weight limitations for trucks and commercial vehicles on the roadways. Review the redlined changes to see if the Town wishes to impose such restrictions.
- Subsection (9) of Section 109 prohibits persons from traveling on highways on skis, sleds, or similar devices. If the Town wishes to allow people to ski on roads in the winter, then this subsection should be deleted.
- Subsection (2) of Section 110 – suggested modification to read: “(2) The municipal courts have jurisdiction over violations of traffic regulations enacted or adopted by municipalities. However, the provisions regarding county proceedings in of sections 42-4-1701, 42-4-1705, and 42-4-1707 shall not be applicable to municipalities.”
- Section 110.5 allows municipalities to authorize the use of automated vehicle identification systems to detect violations. No suggested action or changes to this at this time but wanted to flag for review.
- Section 1204 allows parking of bicycles, e-bikes, or electric scooters on sidewalks. Please review to determine if this should be allowed.

Additionally, the new CO law regarding cell phone use while driving, is NOT part of the 2024 MTC. That law went into effect January 1, 2025. Staff is proposing that this be included in the ordinance.

Lastly, the MTC / state statute includes surcharges as part of the penalty schedule. Minturn has previously implemented the standard surcharges for traffic violations, but was not previously adding surcharges for parking violations. It is recommended that Minturn should collect these surcharges (\$6 for parking violations) to help fund municipal court operations.

Earle B. inquired about ages for the texting while driving. The new laws state it's illegal for drivers 18 and over to text while driving. Harper P. and Rob G. both clarified that it's already law that it's illegal for minor drivers to text while driving. The new law just adds this for adult drivers.

Brian R. also asked for clarification regarding Illegal parking sections D & E (regarding pickup campers shells and camper vans).

It was clarified that this is not a new addition, this is already in our code. The section D clause is specifically regarding detached pickup campers or camper shells, and that the 72 hour regulation is also existing and applies to all vehicles.

Tom P. noted that all of our crosswalks need repainted. We need to reach out to CDOT to get this done ASAP, as this is a serious safety concern. Cindy K. noted that she would reach out to CDOT to request this.

Direction Given from Council regarding the 2024 MTC:

- Remove Subsection (9) of Section 109
- Remove Section 1204

B. Recommendation to Obtain a Municipal Advisor to Explore and Understand WTP Funding Options

Rob G. noted that it's recommended that the Town bring on a municipal advisor to help navigate the best way for Minturn to fund the water treatment plant, whether it's private financing or state bonds or other options.

Tom P. stressed the importance of understanding what our intentions are with the Highlands Parcels as this will significantly impact funds available to go toward the WTP.

Rob G. stressed that we need to understand all of the options for the parcels, and how those relate to the burden of the project cost.

It was discussed that multiple options were discussed in the Highlands Parcels survey and open houses, but there were no numbers attached to this.

Next steps will involve getting solid estimates for the different options.

Lynn F. noted that she feels there would be good value in dividing it into / selling it as 2 ranches, since there is limited water, and this would also allow for some conservation. Mike S. joined the meeting and explained how different rate structures might work. Rob G. will reach out to the municipal advisor references that we've received, and will get clarification on estimates and what's included.

Gusty K. inquired about whether these costs might be eligible within our grant funding.

Mike S. was unsure, will need to verify.

Discussion ensued regarding the municipal advisor process and what that would entail.

Rob G. noted the timing difference between knowing next steps with the Highlands Parcels and moving forward with the WTP project. We'll have estimates in today's dollars and a lot could change in the next couple of years, especially with regard to the number of water users.

Mike S. also detailed how the timing could impact bonding.

Direction Given by Council:

Move forward with seeking municipal advisors to submit proposals to the Town.

12. Future Agenda Items

A. Future Meeting Topics

Adding a special meeting on July 8th at 5:30pm to discuss the municipal advisor and the highlands parcels next steps. Tom P. and Brian R. are not available for the 7/16 meeting, and Rob G. will be attending via Zoom.

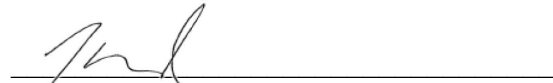
13. Adjourn

Motion by Tom P, Second by Eric G, to adjourn the meeting at 7:25pm.



Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk



Future Meetings:

- July 2, 2025 – Council Meeting CANCELLED
- July 8, 2025 – Special Council Meeting
- July 16, 2025 – Council Meeting

Information Only Items

- 7/2/25 Minturn Independence Day Celebration
- 6/19 AND 6/24 - ZONING UPDATE OPEN HOUSES