



OFFICIAL MINUTES

Town Council Regular Meeting | 5:30 PM

Wednesday, August 20, 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/83774188943>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 837 7418 8943

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 Bidez called the meeting to order at 5:30pm.

2. Roll Call and Pledge of Allegiance

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

Staff present: Town Attorney Michael Sawyer (zoom beginning at 6:04pm), Town Manager Rob Gutierrez, Town Clerk Jay Brunvand (zoom), and Town Planner Madison Harris.

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. 08-06-2025 Minutes

Motion by Gusty K., second by Tom P., to approve the Consent Agenda of 08/20/2025 as presented, motion passed 7-0.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Remove 9a Wild Fire Resiliency code, parties unable to attend due to fires in the area.

Motion by Eric G., second by gusty K., to approve the Agenda of 08/20/2025 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 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.

Mr. Christopher Rieder, 332 Taylor, discussed the paving of Taylor St. expressed disappointment in the project and noted the increased traffic on Taylor St. highlighting safety concerns.

7. Council and Committee Reports

Brian R. reminded everyone to adhere to the posted speed throughout the town. Recommended staff to take action on their own. Looking at bike playground for the little kids.

Lynn F. agreed with the traffic concerns. Reminded all of the fire danger. Pancake breakfast at Minturn fire station this Saturday

Gusty K. reiterated the fire concerns

Earle B. discussed the closed shooting range. Encouraged All to take extra precautions.

8. Staff Reports

A. Manager's Update

Top Updates

- 1. Highlands Property** – Broker interviews scheduled; recommendation expected **Aug 20**.
- 2. Municipal Advisor** – Interviews scheduled; recommendation expected **Aug 20**.

3. **Water Treatment Plant** - 60% design complete; updated cost estimate **\$11M**.
4. **Bellm Bridge** - CDOT RFQ approved; repurposed bridge option deemed infeasible.
5. **Taylor Street Repaving** - Public meeting set for **Aug 21, 4:30–6:30 p.m.**

Active Initiatives

Highlands Property

- Council formed a committee (July 8) to engage brokers for valuation/marketability.
- **Next step:** Committee interviews and recommendation for **Aug 20 meeting**.

Municipal Advisor

- Council formed a committee (July 8) to engage an advisor for water plant financing.
- Interviews delayed for scheduling; **recommendation to Council Aug 20**.

Minturn Forward

- Four modules total; current focus on Modules 1 & 2.
- **Module 1 (Completed – March 2025):**
 - Article 5: Land Use Application Requirements & Procedures
 - Article 8: Subdivision Application Requirements & Procedures
 - Articles 10 & 11: Annexation and Disconnection of Land
 - Article 12: Environmental/Development Impact Report
- **Module 2 (In Progress)**
 - Article 2: Zone Districts
 - Article 3: Use Regulations & Standards
 - Article 4: Dimensional Requirements
 - Article 9: Community Housing Standards & Guidelines
- **Next Steps**
 - Incorporate direction from the last two Planning Commission meetings and the upcoming Joint Work Session.
 - Aim to **wrap up Module 2 in August** and begin **Modules 3 & 4**.

Emerging Initiatives

Housing

- Staff are exploring **town-led strategies** to increase local housing supply and maintain/increase the share of full-time resident households.
- Expect a Council presentation from Scot Hunn on a Town Housing Action Plan by **September**.
- Avon-Eagle County led Multijurisdictional Housing Authority exploratory project will begin this fall, expect a presentation and discussion with Town Council.

Community Activation

- Conducting meetings with staff and residents about exploring expanded community events.
- Evaluating options for downtown streetlight replacements that would facilitate placemaking and community event promotion.

Parks and Recreation

- Evaluating the potential for conducting a Parks and Recreation Master Plan in FY 2026

Economic Development

- Staff are exploring potential town-led strategies to develop and grow small business.
- Examining regulatory reform of mobile business/mobile vendor regulations to allow increased flexibility for pop-up business.
- Working to identify barriers to entry for small businesses and how the town could facilitate increased commercial space for startup businesses.

Capital Projects

Minturn Water Treatment Plant

- **Status:** 60% design reviewed with HDR on July 10.
- **Cost Estimate:** ~\$11M, including Memcor membranes selected by Council in July.
- **Next Step:** Full plan walkthrough by HDR's Jarod Limke at a September Council meeting.

Little Beach Park & Historic Meyer's Barn

- **Engineering:** Access road & retaining wall in design; additional southern survey by Aug 1.
- **Funding:** GOCO submission postponed to early 2026 to allow shovel-ready plan. DOLA EIAF grant reimbursement is active.
- **Next Step:** Complete access road & retaining wall this year.

US 24 Pedestrian Improvement

- Contract with Phoenix Industries executed; work to begin in the **coming weeks**.

North Main Street Pedestrian Improvement & Cemetery Road Crossing

- Notice of award issued to 360 Civil Inc.
- **Next Step:** Contract execution pending; construction to follow.

Bellm Bridge Design RFQ

- CDOT approved RFQ to hire design firm.
- Repurposed CDOT truss bridge not feasible; will explore premanufactured truss option.

Taylor Street Repaving

- Design complete.
- **Next Step:** Public meeting at Town Hall on **Aug 21, 4:30–6:30 p.m.**

Discussion ensued on the Saloon dumpsters being placed so far from the building and in the roadway.

Brian R. discussed concepts to encourage economic development efforts.

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. Colorado Wildfire Resiliency Code

This item was pulled from the agenda as all available were fighting fires in the county.

B. TreeTop Child Advocacy Center (Presented by ECSO Detective Thomas Wright and Cailin Ellis from TreeTop)

ECSO Det. Thomas Wright and Ms. Cailin Ellis reviewed a prepared presentation and fielded questions.

C. ECSO National Night Out - 2025 Recap and 2026 Funding Request

Council reviewed a prepared presentation and fielded questions.

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. Ordinance 08 - Series 2025 (First Reading) An Ordinance Amending Chapter 16 of the MMC to Add Article 27, Natural Medicine Businesses and to Make Changes to the Use Tables in Sections 16-5-40, 16-6-70, and 16-7-60

In 2022, Colorado voters approved Proposition 122: “Access to Natural Psychedelic Substances” (the “Natural Medicine Health Act” or the “Act”), which legalizes the supervised use of psychedelic mushrooms at licensed facilities by individuals 21 years and older. The Act authorizes the State to promulgate rules and regulations for the operation of licensed natural medicine businesses. Local governments may not prohibit licensed natural medicine facilities but may regulate the time, place, and manner of operation of such facilities.

In 2023, the State published the Colorado Natural Medicine Code, establishing the regulatory structure for the operation of natural medicine businesses, including licensing and registration and requirements for the use, cultivation, manufacture, and testing of natural medicine substances.

The purpose of the Ordinance, attached as **Exhibit A**, is to regulate the time, place, and manner of operation of licenses issued pursuant to the Colorado Natural Medicine Code. Staff has determined that the most appropriate zoning districts for operation of natural medicine healing centers—where natural medicine services are provided under supervision—are in the Grouse Creek Character Area Commercial Zone, the 100-Block Commercial Zones, the Old Town Commercial Zone, the Old Town Mixed Use Zone, and the South Town Character Area Commercial Zone. Planning Commission recommended natural medicine healing centers be permitted on the second floor or above, not on the first floor, in the 100-Block Commercial Zones. Other natural medicine businesses, including cultivation facilities, products manufacturers, testing facilities, and other licensed natural medicine businesses would be permitted in the Grouse Creek Area Commercial Zone. The Ordinance also limits any natural medicine business to be at least 1,000 feet from any day care center, preschool, school, or family child care home. The hours of operation of natural medicine businesses are restricted from 7:00 a.m. to 9:00 p.m. All other operations of natural medicine businesses must conform to

state regulations.

On August 13, 2025, Planning Commission recommended Town Council approve the Ordinance. Staff advises Town Council adopt the Ordinance.

Tom P. clarified some of the text of the ordinance.

In response to questions, Mike S. detailed the state law requirements. It was noted that the town could not ban this but could regulate where. There was lengthy discussions on where this use might fit in the code and how this impacts contemplated code changes and zone districts.

Potential second reading conditions were considered and discussed.

Public Hearing Opened

No Public Comment

Public Hearing Closed

Motion by Eric G., Second by Brian R., to approve Ordinance 08 - Series 2025 (First Reading) An Ordinance Amending Chapter 16 of the MMC to Add Article 27, Natural Medicine Businesses and to Make Changes to the Use Tables in Sections 16-5-40, 16-6-70, and 16-7-60 as amended. Motion passed 6-1 (Tom P. voted nay).

Requested amendment: Make changes to commercial and mixed-use zones to allow healing centers as a use by right.

A. Resolution 35, Series 2025, A Resolution Approving the Selection of a Municipal Advisor

The Town Council recently authorized the formation of a committee consisting of Council Member Gusty Kanakis, Mayor Earle Bidez, and Town Manager Rob Gutierrez to interview prospective firms to serve as the Town's Municipal Advisor. The purpose of this engagement is to assist the Town in exploring potential bond financing strategies for the construction of Minturn's new water treatment plant. The committee conducted interviews with four qualified candidates:

- Melissa Buck – UMB
- Troy Bernberg – Northland Securities
- Mattie Prodanovic – Hilltop Securities
- Matthew O'Meara – Choice Advisors

Following the interviews and evaluation of each candidate's qualifications, experience, and approach, the committee and Town Manager are unanimously recommending that the Town Council select Mr. Troy Bernberg of Northland Securities to serve as the Town's Municipal Advisor for this project. Mr. Bernberg demonstrated:

- Extensive experience in structuring and executing municipal bond financing for infrastructure projects of similar scale and complexity.
- A strong understanding of Colorado municipal finance law and regulatory requirements.

• A collaborative approach that aligns with Minturn's goals of fiscal responsibility and long-term sustainability. Next Steps Should the Council approve this recommendation at the August 20, 2025, meeting, staff will proceed with the following actions:

1. Draft terms of engagement with Northland Securities.
2. Submit the draft agreement to the Town Attorney for legal review.
3. Present the finalized agreement for Council approval via resolution at the September 3, 2025, regular meeting.

Mr. Troy Bernberg outlined his qualifications for the council.

Council and staff asked questions to include processes, fees, etc.

Motion by Gusty K., second by Tom P., to approve Resolution 35 Series 2025 for the approval of the selection have Troy Bernberg, Northland Securities, as the town will introduce municipal advisor for the water treatment plant and bond financing project and to direct staff to proceed with preparation of the engagement agreement as presented. Motion passed 7-0.

11. Discussion / Direction Items

A. Possible Use of a Broker for an Opinion of Value on the Highlands Parcels

Rob G. updated on the current status. He expressed concern that this is difficult process, not the financial panacea hoped for by council, and needs more investigation of options.

Direction given:

Earle B. requested a possible special meeting to discuss the fire concerns and the gun range. The thought could be to find alternative land to move the range to. Tom P. noted we need to understand how the range is closed as fire

12. Future Agenda Items

A. Future Meeting Topics

13. Adjourn Information Only Items

Motion by Kate S., second by Lynn F., to adjourn at 7:52pm. Motion passed 7-0.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Upcoming Council Meetings:

- September 3, September 17,
- October 1, October 15.

Upcoming Special Events:

- September First Friday (9/5) at Minturn Saloon,
- Fall Festival (Details to follow) 9/27.