



Official Minutes Town Council Regular Meeting | 5:30 PM

Wednesday, November 5, 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/83818521220>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 838 1852 1220

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 5:30 p.m.

2. Roll Call and Pledge of Allegiance

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

Staff Members Present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand, Town Attorney Mike Sawyer, Public Works Director Michael Martinez, and Planner II 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. 10-15-2025 Minutes

B. 0236 Miles End Lane - New Single Family Residence

- C. 0246 Miles End Lane - New Single Family Residence
- D. 0018 Abby Road - Changes to Approved Plans of a Single Family Residence
- E. Liquor License Annual Renewal - Minturn Mile Liquors
- F. Liquor License Annual Renewal - Pizza Pub LLC, dba Magustos

Motion by Gusty K., second by Eric G., to approve the consent agenda of November 5, 2025 as presented. Motion passed 7-0.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G., second by Gusty K., to approve the regular agenda of November 5, 2025 as presented. Motion passed 7-0.

5. Declaration of Conflicts of Interest

No 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.

Cam Patterson, Denver

Exploring potentially starting a business in Minturn. A temporary business of a sauna in an airstream. The temporary business license currently only covers food trucks and would like to ask the Council to revise the code to allow this. This would be a stationary business, but would be able to pack up and move within 24-48 hours.

7. Council and Committee Reports

Gusty K. gave a shout out to Hive Five Access Media. Colorado Gives is open and they are one of the beneficiaries. Without them Council meetings, school and sports events would not be filmed throughout the valley. Asked for a donation because the franchise fees collected through Comcast are shrinking due to everyone streaming now.

Brian R. was nominated as the representative to the Regional Partnership Initiative as part of Gov. Polis' executive order. The group is being shrunk, so we might not have a seat. The end goal is to have a plan to the state. There's a \$40 mil. pot for projects.

Lynn F. with the ERFDP have been working on the revised employee handbook.

Eric G. thanked everyone for voting yesterday.

Earle B. asked our citizens that can afford it to donate to the Eagle Valley Community Foundation. Vail will police Vail Pass this winter. Birch Barron with Eagle County Emergency Response gave a great presentation at the CAST meeting, but it's not so granular as to what everyone should be doing in the case of an evacuation. Would like to invite him to give a presentation soon to discuss what staff's and the county's responsibilities would be.

8. Staff Reports

- A. Manager's Report
Top Update

- **Projects Complete** – Work has been completed on key components of several ongoing projects at Little Beach Park, Town Hall, North Main Street/Railroad Avenue, and Norman Street. Pictures are included in this report.

Active Initiatives

Public Works Department

- We have two new employees starting on November 10th which will bring the total Minturn Public Works Team up to four employees.
- An Equipment Operator position is still posted, and we are continuing to interview potential candidates.
- We have ordered a new **SnowEx truck plow** and expect arrival by the end of next week.
- Staff are currently evaluating the most cost-effective options for the acquisition of a new Class 2b Service Truck and Class 8 Dump Truck.

Town Hall 2-Bedroom Apartment RFP

- An amendment to the original RFP—seeking a contractor to reconstruct the former two-bedroom apartment within Town Hall—was issued in late October to reduce the project scope and manage costs.
- The Town received three proposals, and staff will complete the evaluation process by November 7. The highest-scoring proposal will be presented to the Town Council for consideration at the November 19 meeting.

Comprehensive Impact Fee Study RFP

- RFP was issued on October 10th, 2025, and seeks a consultant to prepare a Comprehensive Impact Fee Study for transportation, parks, public safety, housing, and infrastructure. Includes a separate Plant Investment Fee (PIF) analysis for the Water Enterprise Fund to maintain TABOR compliance. Proposals due November 14th.

Emerging Initiatives

Minturn Shooting Range

- A discussion item for Council is planned for an upcoming Council meeting to talk about potential steps for improving management of the range.

Housing

- Staff are researching long-term employee housing options. One potential approach involves placing a 1–2-bedroom modular ADU on the Town Manager's property, estimated at \$150,000–\$225,000 total, with a projected cost recovery in 7–10 years at a monthly rent of \$1,800
- Staff are exploring participation in the regional Housing Action Plan led by Avon and Eagle County, which could increase funding flexibility and coordination for future housing projects.

Parks and Recreation

- We have been selected to participate in the Colorado OEDIT Rural Technical Assistance Program. Graduate students from the Masters of Environment Program at CU Boulder and CSU Extension will take on the role of community consultants to develop a Community Action Plan in winter 2025/2026.
- The Minturn Fitness Center Board met on October 7th. The MFC has been experiencing its strongest fiscal performance since its opening over the last several months. The town is exploring ways that we can support the MFC's continued growth in 2026.

Economic Development

- The Downtown Development Authority Plan of Development will come before the Council at the December 17th, 2025, meeting.
- Staff are preparing a new ordinance regulating mobile businesses and

vendors, targeted for consideration in **late Fall 2025**.

- Efforts are underway to identify barriers to entry for small businesses and explore ways the Town can help create additional commercial space for startups.

Town Council Follow Up

October 15th, 2025, Meeting

Councilor Priest

Question/Comment

Comments about implementing load restrictions for Bellm Bridge and pros/cons of doing two bridges or one for pedestrians and vehicles.

Answer

Town Engineer Spanel said that CDOT is actively monitoring the bridge and at this time does not believe there is a need to implement load restrictions. The bridge's condition will continue to be reassessed and CDOT will recommend load restrictions when necessary.

Capital Projects

Minturn Water Treatment Plant

- **Status:** 90% design is complete. Design has been submitted and accepted by CDPHE for review. Timeline could be 3 to 6 months.
- **Cost Estimate:** ~\$11M at 60% design; updated estimate pending.
- **Next Steps:** Council will be hearing an update from the Municipal Advisor at the November 19th meeting.

Taylor Street Repaving

- **Status:** Design is complete.
- **Next Steps:** Public bid and contractor selection. Date is TBD.

US 24 Pedestrian Improvement

- **Status:** The sidewalk extension project encountered significant difficulties with the relocation of an existing Xcel Energy gas line. Construction of the sidewalk has been postponed until spring 2026 when Xcel Energy can return to relocate the gas line.
- **Next Steps:** Staff are working with Xcel Energy and Phoenix Industries to negotiate the potential costs and impacts of a spring 2026 re-mobilization.

Bellm Bridge Design RFQ

- **Status:** At the previous meeting Council selected Short Elliot Hendrickson as the design firm for the bridge. Staff will have an initial meeting with them on November 5th.
- **Next Steps:** Staff are seeking approval from Council to apply to CDOT's Off-System Bridge Grant Program for Bellm Bridge. This grant, if awarded, will only cover a portion of the estimated cost of \$6 million for the replacement bridge. Staff are exploring additional funding opportunities.

Little Beach Park & Historic Meyer's Barn

- **Status:** Installation of the new retaining wall and asphalt access road is complete.
- **Next Steps:** Staff will draft an RFP for a new playground with the input of the Council committee.

North Main Street Pedestrian Improvement & Cemetery Road Crossing

- **Status:** Complete

Norman Street Repaving

- **Status:** Complete

3-Bedroom Town Hall Apartment Renovation

- Renovations to the three-bedroom apartment in Town Hall have been completed. Improvements include fresh interior paint, installation of vinyl plank

flooring throughout, tile flooring in both bathrooms, a new dishwasher, a larger stainless steel kitchen sink, and upgraded LED recessed lighting. The total project cost was approximately \$23,566, which is projected to be recovered through rental income within 17 months.

B. Economic Development Update - DDA Plan of Development Next Steps and Timeline
INTRODUCTION / REQUEST:

The Minturn Downtown Development Authority has entered into a service agreement with Ayres Associates for the preparation of a Plan of Development. A Plan of Development is a requirement per state statute, and will establish the goals and priorities of the DDA, and will help shape the work plan for the DDA board. The onsite workshop took place on October 21, 21 and 22 in Minturn. Thank you to those who participated.

ANALYSIS / NEXT STEPS:

A DDA Plan of Development serves as a roadmap for how the DDA will use its powers and funds to improve the downtown area. It is important that we establish a professional, well-crafted plan as this will serve as our guiding document for several years. Ayres Associates has significant experience in this space, having done this work for other Colorado municipalities. Minturn in particular has been looking at the Fraser DDA Plan of Development as a possible example of a strong template to work from. Ayres did the Fraser Plan of Development.

COMMUNITY INPUT:

Community input was gathered initially through the DDA outreach and education process that occurred prior to the DDA election. Downtown stakeholders, staff, Council and Planning Commission were also invited to participate in the recent workshop. Ayres has provided a draft plan, which is currently being reviewed by staff. The DDA Board will review next, and there will be some back and forth editing and final formatting throughout November. The final version will come before Planning Commission for review and Town Council for approval / adoption. Once approved, the final document will be submitted to both the State and the County to be registered.

STRATEGIC PLAN ALIGNMENT:

The establishment of the Minturn DDA is a specific priority laid out in the 2025 – 2027 Strategic Plan. The Plan of Development is an integral part of laying the groundwork for how the DDA will operate.

IT IS EXPECTED THAT THE PLAN OF DEVELOPMENT WILL BE ON THE 12/17 TOWN COUNCIL AGENDA, THOUGH IT COULD BE EARLIER.

9. Special Presentations

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. Resolution No. 44 - Series 2025 - CDOT Off-System Bridge Grant

Rob G. introduced the resolution and asked for approval to apply to a grant from CDOT with a 20% local match of \$1,169,997 for the replacement of Bellm Bridge. Debra with Sustainable Strategies thought that we have a good chance of getting Congressionally Directed Funding or through the Federal Transportation Department. Might extend the scope of the project to repaving Railroad Ave and going up to Taylor as that might be better for our application to the Federal Government.

Motion by Tom P., second by Gusty K., to approve Resolution 44 – Series 2025 Authorizing the Town Manager to Submit an Application to CDOT for Funding Under the Off-System Bridge Grant Program for the Replacement of Bellm Bridge. Motion passed 7-0.

B. Resolution No. 45 - Series, A Resolution Amending the Karp Neu Hanlon Town Attorney Agreement to Include Water Attorney Services

Mike S. introduced the topic. As the Council is likely aware Minturn's water rights attorney Susan Ryan of Holland & Hart was recently appointed to fill a position as a District Court Judge in Ninth Judicial District. Susan assisted Minturn with several important water matters during her tenure. These include negotiating an agreement with the Colorado Water Conservation Board involving the instream flow and Cross Creek, working with Eagle River Water and Sanitation District on Bolts Lake issues and shepherding Town water right applications through the Water Court process. Susan will make a wonderful District Court Judge, but her absence will be felt in Minturn. During her tenure, Susan was often assisted by attorney Bill Caile at Holland and Hart. Bill recently represented the Town in a water court case brought by Eagle River Water and Sanitation District that was opposed by Jeff Tucker. Bill is continuing to work on one remaining active water case for Minturn. On behalf of myself as the Town attorney and on behalf of the Town of Minturn we express our gratitude to Susan and Bill for their efforts.

In speaking with Town Manager Rob Gutierrez, it seems like now maybe an advantageous point to transition Minturn's water work to my firm Karp Neu Hanlon. Over the 11 years that I have served as Town attorney, I have participated in many meetings with Susan and her predecessor discussing and strategizing over Minturn's water rights. Prior to Susan's departure from private practice, we sat down with her for an extensive briefing on the Town's water rights and issues to pay attention to in the future. Currently, approximately 1/3 of my practice involves water right matters. I and my team of lawyers and assistants can successfully represent Minturn in its water right matters going forward and would be honored to do so.

I believe that there would be some cost savings in bringing the general Town Attorney work and the water rights attorney work under one roof. I am willing to offer Minturn a discounted rate from my general water rights representation rate. Work on water rights for the Town would be billed according to the attached rate sheet.

As noted, Bill Caile will continue to work on a pending water court case until it is completed.

Lynn F. has quite a bit of experience with our water attorneys in the past years and thinks this is a great opportunity for us to have Mike S. be our water counsel. He has a greater context which has often been missed by others and he has the necessary expertise. This will result in us getting better, less expensive representation. Advocates for the approval of the resolution.

Gusty K. agrees.

Brian R. asked if it's normal for a town to have water and general counsel under the same umbrella.

- Mike S. said that it is more common than not.

Earle B. said that his current rate will not change.

Motion by Gusty K., second by Tom P., to approve Resolution 45 – Series 2025 Amending the Engagement Agreement Between Karp Neu Hanlon P.C. and the Town

of Minturn, Colorado to Include Water Attorney Services. Motion passed 7-0.

C. FY2026 Budget - Public Hearing

Earle B. called to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2026 proposed budget and to gather input, pro or con, on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2026.

Jay B. went through his memo and asked the Council to open the public hearing for the Fiscal Year 2026 Preliminary Budget.

INTRODUCTION:

As required by Colorado State law, the Council must hold a public hearing on the proposed Fiscal Year 2026 budget. This Public Hearing has been published and posted for this meeting. Following the 11/5/25 meeting the next steps will be to present and consider the Ordinances with First Reading on 11/19/25 and Second Reading on 12/3/25 to formally pass the budget.

ANALYSIS:

As required by Colorado law, the Town has set one Public Hearing for the FY2026 Budget at this November 5th meeting. Although further discussion will ensue through final adoption of the budget on December 3, 2025 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 FY2026 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 further Council direction, those changes also will be included in the scheduled final passage of the budget ordinances on December 3rd. I will distribute an updated budget document thereafter as the final changes are processed.

Items discussed at the October 1, 2025 Council meeting (these will be reflected in the final budget approved on 12/3/2025:

I have revised and updated the payroll and staffing worksheets and totals to include the most recent hires in Public Works.

- Payroll comprises 19% of the combined General and Enterprise fund budgets
- Wages comprise 14% of the combined and the balance is taxes, retirement, and employee insurance.

Property Tax Revenue 01-00-4010: WHY did the property tax grow an estimated 20% over FY2025?

- Wild housing market combined with state Legislative actions has resulted in random swings in assessment percentages and artificially deflated revenues over the last few years.
- 2025 is an assessment year.
- 2023 over 2022 was a negative 4% growth.
- 2024 over 2023 was approximately 33% growth. (2023 was an assessment year)
- 2025 over 2024 was 3% growth.
- Over the past seven years we've grown an average of 12% annually.
- Our mill levy is 17.934 and has not changed and over 28 years. As we have discussed when the economy is flush we have our budget grows, when the economy is reducing we tighten our belts along with the rest of the citizens.
- In 2025 property tax revenue was \$846,000, In 2008 it was \$455,000. It took us 17 years to double our property tax, and during those ensuing years there

were four years when we were actually below \$455,000. This represents a good picture of how we have changed and how we have gone up and down over the years as the economy has ebbed and flowed.

Downtown Development Authority (DDA): As we discussed in the October 1st meeting,

- Revenue for the DDA is based on all taxing entities within the DDA, it is not limited to just the Town's mill levy.
- The town is budgeted to backfill up to \$15,000 for DDA projects. These projects would be determined by the town manager and/or council decision as warranted. Council requested these contributed funds be used only for projects, not for staff needs or similar.
- It is anticipated that the DDA will receive about \$250 in tax money for the fiscal year 2026. It's important to recognize this will be a slow growth process. The district is not very big and the development in that defined area is potentially quite limited.

In June of 2000 the town negotiated a lease with the US Post Office for space to conduct business as a post office in the town hall. In June of 2010 the USPO exercised a first option to extend the lease 10 more years. In June of 2021 the post office exercised a second option for five years extending the lease to 2026. In June of 2026 the post office has the option to extend a third time. Staff will keep council informed as needed. Rent is scheduled to increase in June from \$79,823 to \$87,805 annually or \$6,651.92 to \$7,317.08 monthly a 10% increase.

Council and staff have discussed traffic calming measures in town. In the Public Works budget, we have streets and sidewalks as a line item with a budget of \$125,000. A portion of this can be used during the year to experiment with traffic calming measures.

There was discussion about parking signs directing people to the Municipal Parking lot. There is a sign in front of Magustos which directs people to the municipal parking lot. A number of years ago we made an effort to standardize our directional signage throughout town. A thought would be to revisit this signage plan and make sure that it is what we want and that it is doing what we want, this can be done in 2026 with available funds.

BUDGET / STAFF IMPACT:

The annual fiscal budget sets forth projected income and expenses and sets forth a plan to achieve our stated goals. The budget will appropriate reserves, revenues and expenses and set the mill levy and fees for the ensuing year.

No public comment
Public hearing closed.

Lynn F. stated that Jay B. did a wonderful, conscientious job, and we are very lucky to have him.

Gusty K. would like to ensure that the Day Care is providing the five spots to Minturn residents that were promised with the funding.

11. Discussion / Direction Items

A. 2025-2026 Snow Removal Plan Updates (Michael Martinez)

Michael M. wants to eliminate the weekend contract in the past and consolidate into public works with a rotating schedule for weekend plowing. On the weekend and Fridays will prioritize accessibility for businesses on Main Street. Two more people start next week, and in the process of finding one more operator.

Rob G. stated that they are looking for two more trucks, and what the most cost efficient way is.

Tom P. asked how the loaders are holding up.

- Michael M. stated that the 2009 loader is in good shape, the other one's fuel injector we hope will last through the winter. Would like to start moving into automatics for some of our equipment.

B. Highlands Parcels (Direction Regarding Selection of a Broker and Related Topics):

- Access Road Construction
- Improve Survey w/Topo
- Corner Monuments
- USFS Access

Rob G. hoping to know where Council would like us to go next.

Lynn F. posed two questions: that in the event that we decide to sell this property and what to do with the property if we don't sell it. Before making a decision there should be a work session with the public. Would like Pete, Brick, and Lacy on board prior to discussions with the public about why we should sell this property and perhaps someone else on board to explain how this would effect people's water bills.

Tom P. believes that we've already had public input and now we just need to hire a broker, and if people don't want that then they need to propose a different solution for how to pay for the WTP.

Gusty K. agrees with Tom P. that we've already received public comment on this parcel. We need to get this parcel on the market to use the funds for the WTP and stop kicking the can down the road.

Mike S. noted that the property currently exists in a holding zone. He thinks that any prospective purchaser will want us to rezone the property which will be a public process. Even if we rezone it now, we likely would have to amend it later.

Earle B. asked the brokers in the audience about what they think the process should be.

Lynn F. believes that there needs to be more public input on the outcome of the property.

Discussion ensued on what process to do.

Tom P. would like to work with Slifer on the sale, Eric G. agrees.

Brick doesn't think that they need to do a soils test at this point. Concerning water, he believes there is water on the property, but can't test for that now because we don't know where the potential build site would be. The state has an amazing resource about all the nearby wells. Creating a certain amount of guardrails would be helpful for what we are looking for on the parcels.

Direction was to go with Slifer.

Tom P. pointed out that there were three other issues: access to the property, key to the gate, and zoning.

Brick said that a survey is also an issue.

Rob G. stated that the Town Engineer is working on that.

Note: 5 minute recess called at 7:05 p.m.

C. Update Regarding Nuisance Prosecution of Minturn Cemetery District pursuant to C.R.S 24-6-402(4)(b)

Mike S. recapped the events leading up to the nuisance prosecution. The Cemetery was asked to fully abate the nuisance (spiked fence), the Cemetery declined, but said that the Town could if they paid for it (they estimated \$35,000). The Town sent a settlement document that we would remove the spikes on the fence if the Cemetery capped them. The Cemetery declined. The Cemetery maintains that the Town approved the fence in the past, but no one has been able to provide any evidence to this affect.

Tom P. pointed out that the board president at the time of the last incident (winter 2023) promised to take care of this by Spring 2023 and that didn't happen, so there are issues with them following through.

Earle B. pointed out that there is an open seat on the Cemetery board.

- Lynn F. thinks that we should talk to Commissioner Matt Scherr and then subsequently the Board of County Commissioners.
- Mike S. suggested rounding up names for volunteers to apply for the Cemetery board.

12. Future Agenda Items

A. Future Meeting Topics

13. Adjourn

Motion by Tom P., second by Kate S., to adjourn the regular meeting of November 5, 2025 at 7:36 p.m.



Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk



Information Only Items

Upcoming Council Meetings: 11/19, 12/3, 12/17. Upcoming Special Events: November First Friday (11/7) at Mexican Bar & Grill. Holiday Events Announcements Coming Soon.