



**MEETING MINUTES
ONLINE MEETING
Town Council
Tuesday, April 13, 2021**

*This agenda and the meetings can be viewed at www.Townofeagle.org.
The times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an online meeting.

CALL TO ORDER - 6:05 PM

ROLL CALL

COUNCIL MEMBERS PRESENT

Matt Solomon, Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, David Gaboury, Janet Bartnik, Geoffrey Grimmer

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant Town Manager
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Joey Staufer, Police Chief
Lynette Horan, Human Resources Manager
Peyton Heitzman, Planner

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member David Gaboury motioned to approve the agenda. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

PUBLIC COMMENT – There was no public comment.

PRESENTATIONS

1. Climate Action Plan Update - Kim Schlaepfer, Eagle County Climate Action Committee
Kim Schlaepfer presented this item and the update to the Eagle County Climate Action Plan.

CONSENT AGENDA

MOTION: Council Member Matt Solomon motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

1. Minutes - March 23, 2021
2. Bill Pay - March 2021

STAFF REPORTS

1. Department Update

Council Comments: discussion on Open Space Fund and budget amendment for \$150K. Jill Kane stated she transfer this amount and reduce the general fund balance.

Discussion on the potential adoption of a new building code and discussion regarding fire sprinklers in single-family residential when it is reviewed before adoption.

Mayor Turnipseed noted discussion with Chief Staufer and a citizen. Brandy Reitter announced anniversaries for Town Clerk Jenny Rakow at six years and Community Development Director Chad Phillips at one year.

BUSINESS ITEMS

1. PUBLIC HEARING: AN20-02 Base Camp Eagle Annexation; SU20-03 Recreational vehicle park Special Use Permit; RZ20-02 Zoning

Mayor Turnipseed recused himself from this hearing.

Mayor Pro Tem Kerst opened the public hearing for AN20-02 Base Camp Eagle Annexation; SU20-03 Recreational vehicle park Special Use Permit; and RZ20-02 Zoning and stated the public hearing will remain open for one hour (6:43 pm).

Matt Mire provided an overview to the Council and the public on the nature of the hearing. There is not a Resolution for Special Use and there is no annexation agreement for review at this time. The Council will take public comment and asked the Council to save deliberations until the May 11th continued hearing date. An Executive Session will be scheduled for April 27th to resolve any outstanding issues.

Peyton Heitzman presented this item.

Council Comments: discussion about property boundaries and immediate uses adjacent to the property. Confirmation that the Haymeadow Open Space adjacent to the property will be dedicated when the phases are subdivided.

Applicants Shawn and Marcy Colby provided their presentation of their project, describing the design plan and vision for the RV Park.

Council Comments: discussion on sewer connection and timing with Haymeadow development. The applicant stated the current plan is for privy vaults that will comply with guidelines until the sewer connection is made. Discussion on access to trail connections and timing of completion for use of the trails by RV Park guests. The applicant provided the trail would be planned to have direct access to Haymeadow or Town Open Space trails when those trails are made. Further discussion on fire pits and related smoke issues. The applicant representative provided the fire pits will be managed with restrictions. The Council requested information on the immediate trail connectivity.

Mayor Pro Tem Kerst opened public comment.

Kevin Brubeck 0123 Snow Goose – stated he was in support of the project.

Erik Carlson Attorney representing Barry and Barbara Berman at 3221 Brush Creek Road – stated his clients were not in support of the project and submitted a written letter for the record.

Cody Scott 2941 Brush Creek Road - stated he was not in support of this project.

Mayor Pro Tem Kerst closed public comment at 7:52 pm.

Tambi Katieb, the applicant's representative gave a presentation.

Matt Mire provided to the council that the next steps are to state their request for any additional information and direction for information, and a motion to continue both public hearings to May 11th.

Council Comments: request to have a site visit at the location, more information on trail connectivity, and any information regarding fire smoke and odors related to it.

Mayor Pro Tem reopened public comment.

Eric Eves – stated he sent a letter regarding this project and encouraged Council to make a site visit.

Debra Dieter 17 Fir Court - stated she was not in support of the project as presented.

Jamie Woodworth – stated she was in support of the project.

Mayor Pro Tem Kerst closed public comment.

MOTION: Council Member Matt Solomon motioned to continue the Public Hearing for AN20-02 Base Camp Eagle Annexation, SU20-03 Recreational vehicle park Special Use Permit and RZ20-02 Zoning until the May 11, 2021, Town Council meeting. The motion was seconded and passed with a vote of 6 in favor (Solomon, Kerst, Bodenhemier, Gaboury, Bartnik, and Grimmer), 0 opposed, and 1 recused (Turnipseed).

- a. Resolution No. 32 Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado making certain Findings of Fact Regarding the Proposed Annexation of Real Property Located in Unincorporated Eagle County"
- b. Ordinance No. 05 Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory in Eagle County, Zoning the Property Rural Residential and Approving the Associated Annexation Agreement"
2. Allocation of Funds Received from Settlement Agreement Between the Town of Eagle, Eagle County School District RE-50J, and the Mountain Recreation Metropolitan District
Jill Kane presented this item.

Council was asked to choose from one of the three suggested allocations for the funds: 1. Allocate \$2,500 for attorneys' fees reimbursement to the General Fund and split the \$103,000 equally between the Water and Utility Funds; 2. Allocate 100% to General Fund; or 3. Allocate to the General Fund, Water Fund, and Utility Fund (WW) proportionally based on the original 1995 contributions.

Council Comments: discussion regarding options and putting money towards a future facility with Mountain Recreation.

MOTION: Council Member David Gaboury motioned to approve the allocation of funds received from the settlement agreement between the Town of Eagle, Eagle County School District RE-50J, and the Mountain Recreation Metropolitan District with \$103,00.00 going to the general fund for future use towards Mountain Recreation and to pay \$2,500 in attorney's fees. The motion was seconded and passed with a vote of 6 in favor, (Solomon, Kerst, Bodenhemier, Gaboury, Turnipseed, and Grimmer), 0 opposed, and 1 recused (Bartnik).

3. Sales Tax Capital Improvement Fund 2021 – 2025 Budget Projections

Jill Kane presented this item.

Council Comments: discussion of planned projects and prioritization that included NV5's additional information provided to staff that requires a 2021 supplemental appropriation.

MOTION: Council Member Matt Solomon motioned to direct staff to include proposed increases of \$13,464 in the next supplemental budget. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenheimier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Committee Updates

2. Future Agenda Items

Request to provide speakers and presenters the Council policy on presentations and time limits.

3. Second Street Discussion

Council Discussion: Council is interested in a pilot program to include a public space on Second Street that can be used by the public and downtown businesses. Staff was requested to provide a site map outlining the public area. Further direction to seek input from and send a survey to the Downtown Development Authority members and owners regarding recommendations and business interest.

Mayor Turnipseed opened this discussion to the public.

Kat Conner 710 Bull Run and 228 Broadway stated she would like more public input on the impacts of the street closure.

Kari McDowell-Schroeder 140 Mill Road and 241 Broadway stated she sent an email this afternoon regarding this topic. Supported a pilot project that is a full closure of Second Street from Wall Street to Broadway. This pilot would help us decide on what we do long-term. Indicated that the liquor license issue would be critical.

Tanner Williams 425 Broadway and Taproom Manager for Bonfire Brewing - supported a pilot project and would support a long-term closure.

Tara Novak 426 Golden Eagle and 120 Broadway - supported doing a pilot program on Second Street.

Shane Dickman 705 Nogal Road - supported a pilot program closing Second Street.

Lachie Thomas 756 Eby Creek Road – supported the pilot program closing Second Street.

Council Comments: further clarification to only close half the street to accommodate public safety and resident access. Brandy Reitter cautioned the Council that staff may need to reprioritize other projects to move this forward quickly. Staff further clarified that to use the grant funds received by the town will need to set a scope of work with a contractor. We are currently using Norris Design and we can get a design from them.

MOTION: Council Member David Gaboury motioned to direct staff to prepare a rough sketch of the pilot space on Second Street and to obtain input from the Downtown Development Authority. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Gaboury, Bartnik, and Grimmer) and 1 opposed (Solomon).

4. Choose Council Member for Council Letter for Eagle Today

Council Member Gaboury will write the letter. Due date is week of April 26th.

EXECUTIVE SESSION - 9:30 PM

- EXECUTIVE SESSION: Executive Session to hold a conference with the Town Attorney and special counsel to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the Powell Annexation Raw Water Agreement and to adjourn the regular meeting at its conclusion.
- 1.

MOTION: Council Member Scott Turnipseed motioned to enter into EXECUTIVE SESSION: Executive Session to hold a conference with the Town Attorney and special counsel to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the Powell Annexation Raw Water Agreement and to adjourn the regular meeting at its conclusion. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

ADJOURN - 9:45 PM

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

