



**MEETING MINUTES
ONLINE MEETING
Town Council
Tuesday, May 11, 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 - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL - 6:05 PM

COUNCIL MEMBERS PRESENT

Matt Solomon, Mikel Kerst, Scott Turnipseed, Ellen
Bodenhmier, 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
Brian Hall, Marketing & Events Manager
Peyton Heitzman, Planner
Jessica Lake, Planner

ADOPTION OF AGENDA

There were no changes to the agenda.

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

PUBLIC COMMENT

Mayor Turnipseed opened public comment. There was no public comment.

CONSENT AGENDA

Council Comments: Inquiry on the voting process for the Haymeadow decision. Matt Mire outlined the process and result of denial by motion failing to secure four votes for approval, which was the functional equivalent of a denial.

Inquiry on the meeting expenses for Pazzo's and credit card charges was explained by Finance Director Jill Kane.

MOTION: Council Member David Gaboury 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 - April 27, 2021
2. Minutes - May 4, 2021, Special Meeting
3. Bill Pay - April 2021

STAFF REPORTS

1. Town Manager Update

Brandy Reitter stated she will be sending out a poll for Council to tour the Lower Basin Water Treatment Plant.

Council Comments: Discussion on changing work session and retreat date to include work session discussion. Council agreed to keep the discussions separate.

Discussion regarding manager list of pending and completed items, Brandy will make some modifications and consolidate related items on future reports.

Brandy Reitter stated she will be sending a memo regarding the Second Street closure for discussion on May 25th.

2. Department Update

Council Comments: Jill Kane provided details on the Eagle Bucks budget as it relates to the response by residents using more than originally estimated and a budget amendment will be forthcoming. The Short Term Rental software implementation will take place over the next four months. A request was made to partner with Eagle County on surveillance at Eagle River Park.

3. March 31, 2021, Budget to Actual Report and Revenue Analysis
4. First Quarter Sales Tax Report

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: New Tavern License Application, Roam Enterprises LLC dba Roam

Mayor Scott Turnipseed adjourned as the Town Council and convened as the Liquor License Authority and opened the Public Hearing for this item.

Town Clerk Jenny Rakow provided an overview of the application and process.

Applicant Adrienne Cavallario was present for this item and thanked everyone for welcoming her into the community.

Mayor Scott Turnipseed opened public comment. There was no public comment.

MOTION: Council Member Matt Solomon motioned to approve the Findings and Order approving a New Tavern License for Roam Gourmet LLC dba Roam at 139 Broadway Unit E and directing the Mayor and Town Clerk to sign and submit the application to the State of Colorado. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

BUSINESS ITEMS

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

Mayor Scott Turnipseed recused himself from this item and removed himself from the meeting.

Mayor Pro Tem Mikel Kerst opened the Public Hearing on SU 20-03 and RZ20-02 at 6:33 p.m.

Town Attorney Matt Mire provided an overview of tonight's process stating the applicant is requesting a continuance until May 25th. The Council is required to open the public hearing and take one hour's worth of testimony. If comments exceed one hour, the Council can request the public comments remaining be taken at the May 25th Town Council meeting on this item. All comments will be part of the public record. The action tonight will be for the Council to motion for a continuance.

Peyton Heitzman Planner provided an update to the Council on the additional public comments received after the packet publication date of Friday, May 7th.

Applicant Shawn Colby gave his presentation.

Tambi Katieb also presented on behalf of the applicant.

Mayor Pro Tem Mikel Kerst opened Public Comment.

Cody and Anne Scott 2941 Brush Creek Road. Expressed opposition to the project.

Barbara and Harry Berman 3221 Brush Creek Road. Expressed opposition to the project.

Kevin Brubeck 123 Snow Goose. Expressed support for the project.

Ted Seipel 6235 Brush Creek Road. Expressed opposition to the project.

Lori Seipel, 6235 Brush Creek Road. Expressed opposition to the project.

Crystal Young 388 Ring Neck. Expressed opposition to the project.

Ryan May 2037 Brush Creek Road. Expressed opposition to the project.

Ryan Geller. Expressed support for the project.

Steve Stalzer Gypsum Colorado. Expressed support for the project.

Stewart Eves 2253 Eagle Ranch Road. Expressed opposition to the project.

At 7:33 p.m. Mayor Pro Tem Mikel Kest announced that all further public comment will be taken at the May 25th Town Council meeting on this item.

MOTION: Council Member Matt Solomon motioned to continue File Number AN20-02 Base Camp Eagle Annexation and File Number SU20-03 Recreational Vehicle Park Special Use Permit and File Number RZ20-02 Zoning until the May 25, 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 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"

Not heard due to continuance.

- b. Ordinance 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"

Not heard due to continuance.

- c. Resolution 33, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Special Use Permit for a Recreational Vehicle Park at 3220 Brush Creek Road"

Not heard due to continuance.

2. PUBLIC HEARING: SU21-03 113 E. Fourth Street
Mayor Scott Turnipseed opened this item.

Jessica Lake Planner presented this item.

Council Comments: Discussion on oxygen container storage. Jessica Lake stated the applicant provided she would not be using these devices.

Applicant Susan O'Brien was present for this item and stated the business will be a small animal practice.

Mayor Scott Turnipseed opened public comment.

Diane and Dr. Matthew Ehrlich 165 N Penstemon Lane. Spoke on behalf of the applicant and supported the application.

Council Comments: Discussion on request to remove conditions c. and e. from Section 2.

- a. Resolution 41, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Special Use Permit for a Veterinary Clinic at 113 E. Fourth Street"

MOTION: Council Member Ellen Bodenhemier motioned to approve Resolution 41, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Special Use Permit for a Veterinary Clinic at 113 E. Fourth Street" and removing conditions c. and e. from Section 2. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

3. Resolution 35, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending the Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code Concerning Fire Impact Fees"

MOTION: Council Member Janet Bartnik motioned to approve Resolution 35, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending the Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code Concerning Fire Impact Fees". The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

4. Resolution 36, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado adopting the Climate Action Plan Update 2020".

Bill Shrum Assistant Town Manager presented this item and provided that this Resolution is related to the presentation given to Council on April 13, 2021.

Council Comments: Discussion on the relation of the Climate Action Plan to the Town's Strategic Plan and the potential costs related to adopting the plan. Bill Shrum provided further clarification on the language relating to adopting the plan as recognizing the goals, targets, and updates from the previous version. Additional information was provided by staff regarding studies related to economic impact and the goal of reducing costs. If the Town does not meet the goals or expectations, there are no repercussions for not doing so. Further discussion on the

difference in the meaning of support and adoption as it relates to this plan. Further discussion on having this topic as part of the sustainability work session to allow time to gather more economic impact information related to the town and community, as well as potential code changes needed as it relates to this plan.

5. Resolution No. 39, Series 2021, "A Resolution by the Town Council of the Town of Eagle, Colorado Endorsing the Eagle County Community Wildlife Roundtable Action Plan"

Brian Lieberman, Open Space Manager presented this item along with Jacci McKenna, Kristen Gray Bertuglia, Jessica Foulis, and Ernest Seager.

Council Comments: Inquiry on conservation groups involved with the committee and stakeholders that did not provide support. Additional information was slated to be provided by Colorado Municipal League regarding wolf reintroduction guidance. Currently, the National Forest Foundation is the facilitator and is currently seeking grants to facilitate the action plan. Concern that the plan was too broad and did not have support from key wildlife entities.

MOTION: Council Member Ellen Bodenhemier motioned to approve Resolution No. 39, Series 2021, "A Resolution by the Town Council of the Town of Eagle, Colorado Endorsing the Eagle County Community Wildlife Roundtable Action Plan". The motion was seconded and passed with a vote of 5 in favor (Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 2 opposed (Solomon and Kerst).

6. Employee Home Ownership Program Amendments

Jill Kane Finance Director presented this item.

Council Comments: Inquiry on whether a priority is placed on those seeking property in the Town limits vs. Eagle County. Jill Kane provided that the program is on a first come first serve process with no priorities. Discussion on loan payback and risk to Town as a second lien holder. Additional funding sources may be needed to assist with purchases in the current market. Brandy Reitter provided the philosophy on reducing the radius to Eagle County was to keep employees in the local economy.

MOTION: Council Member Matt Solomon motioned to approve the proposed Employee Home Ownership Program amendments and direct staff to make the modifications to the Town EHOP guidelines. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

7. Roof Top Unit Replacement Town Hall Budget Amendment - \$20,000

MOTION: Council Member Janet Bartnik motioned to approve a budget amendment of \$20,000 from the Right of Way Improvements line item to the Town Hall Improvements line item, within the Capital Improvements Funds for use towards the replacement of the rooftop unit at Town Hall. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Committee Updates
Mayor Scott Turnipseed requested staff to engage with Eagle Ranch Housing Corporation related to the down payment assistance program.
2. Future Agenda Items
Inquiry about a vacancy tax.
3. Eagle County VISTA Committee Council Appointment
Janet Bartnik volunteered for this committee appointment.

ADJOURN - 9:00 PM

Motion: Council Member Janet Bartnik motioned to adjourn the regular meeting. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

