



MEETING MINUTES
Town Council
Tuesday, June 8, 2021
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access to attend via Zoom.

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCIL MEMBERS PRESENT

Matt Solomon, Scott Turnipseed, Ellen Bodenhemier,
Janet Bartnik, Geoffrey Grimmer

COUNCIL MEMBERS ABSENT

David Gaboury, Mikel Kerst

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
Peyton Heitzman, Planner
Dennis Wike, Engineer

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Matt Solomon motioned to adopt the agenda. The motion was seconded and passed with a vote of 5 in favor (Solomon, Turnipseed, Bodenhemier, Bartnik, and Grimmer) and 0 opposed.

PUBLIC COMMENT

Mayor Turnipseed opened public comment for items not on tonight's agenda, there was no public comment.

PRESENTATIONS

1. Mountain Recreation Facility Expansion Proposal, Scott Robinson
Scott Robinson gave his presentation to the Council.

Council comments: discussion on a specific amount being requested by Mountain Recreation. Staff will prepare options for donation on June 22nd.

2. Quasi-Judicial Training, Matt Mire, Town Attorney
Matt Mire the Town Attorney provided the Council with CIRSA training regarding the quasi-judicial situation.

CONSENT AGENDA

Council comments: request to add language in the letter of support to Senator Bennet, staff will make that change.
Discussion on the process to reappropriate funds or cancel a contract approved in 2021 for 2022 services as it related to the Clarion contract.

MOTION: Council Member Janet Bartnik motioned to approve the consent agenda with amendments to the letter to Senator Bennet. The motion was seconded and passed with a vote of 5 in favor (Solomon, Turnipseed, Bodenhemier, Bartnik, and Grimmer) and 0 opposed.

1. Minutes - May 25, 2021
2. Bill Pay - May 2021
3. Resolution No. 43, Series 2021, "Approval of Professional Services Agreement for the Land Use and Development Code Update with Clarion Associates."
4. Resolution No. 45, Series 2021, "A Resolution by the Town Council of the Town of Eagle, Colorado adopting the Open Space and Recreation Advisory Committee Bylaws."
5. Letter of Support to Senator Bennet - Town of Eagle Grand Avenue Corridor Reconstruction

STAFF REPORTS

1. Town Manager Update
Brandy Reitter thanked the community and staff for the Eagle Outside event this past weekend.
2. Department Update

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: New Hotel & Restaurant License Custom Food Works LLC dba Pickled Kitchen & Pantry
Mayor Turnipseed convened as the Liquor License Authority.

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

Applicant Michael Joersz was present.

MOTION: Council Member Matt Solomon motioned to approve the Findings and Order approving a New Hotel & Restaurant License for Custom Food Works LLC dba Pickled Kitchen & Pantry located at 65 Market Street. The motion was seconded and passed with a vote of 5 in favor (Solomon, Turnipseed, Bodenhemier, Bartnik, and Grimmer) and 0 opposed.

BUSINESS ITEMS

1. PUBLIC HEARING: Discussion of the East Eagle Sub Area Plan (EESAP)
Mayor Turnipseed opened the public hearing for this item.

Chad Phillips Town Planner requested direction on the draft EESAP.

Council comments: discussion on updating the icon for river park to river access and park for clarification.

Discussion on maximum residential units in the mixed-use area. Council preference to eliminate special use permits and attempt to create use by right for the zoning. Discussion on including property east of the interchange into this plan, staff confirmed they will include the additional area in the plan. Discussion on the ability to extend services was provided by the Public Works Director. Additional comments from Colorado Parks and Wildlife regarding the wildlife corridor were also requested.

Brett Heron from Red Development presented to the Council. Brett requested to spend more time with planning staff and consultants to come back on July 13th with a revised plan.

Carolynne White presented as land use counsel for Red Development. Carolynne requested that the Council not give final direction but allow them to work with staff on the vision for this property. Red Development is seeking predictability and flexibility.

Council comments: discussion on the polling sample regarding residential may not have understood unbuilt approved residential the Town already has. Discussion on residential versus commercial, with Red Development stating the first phase of residential, would help with infrastructure and create demand for commercial businesses. Further discussion on ensuring the wildlife corridor is sufficient for animal passage.

Staff will work with landowners and consultants on the next revision to be presented on July 13, 2021.

2. PUBLIC HEARING: AN21-01 1819 Brush Creek Road
Mayor Turnipseed recused himself from this item.

Council Member Solomon acting as Mayor Pro Tem opened land-use file AN21-01 1819 Brush Creek Road.

Peyton Heitzman, Planner presented this item.

Council comments: discussion on what the current zoning is on the east and west side of this property. Staff provided it is county resource zoning and that rural residential is on the Eagle County future land use map. Staff confirmed the property was already on town water and sewer services.

Applicant Joanna Hopkins was present.

Mayor Pro Tem Solomon opened public comment. There was no public comment.

- a. Resolution No. 46 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"
MOTION: Council Member Janet Bartnik motioned to approve Resolution No. 46 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." The motion was seconded and passed with a vote of 4 in favor (Solomon, Bodenhemier, Bartnik, and Grimmer), 1 recused (Turnipseed) and 0 opposed.
- b. Ordinance No. 9 Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory in Eagle County and Zoning the Property Rural Residential"
MOTION: Council Member Janet Bartnik motioned to approve Ordinance No. 9 Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory in Eagle County and Zoning the Property Rural Residential." The motion was seconded and passed with a vote of 4 in favor (Solomon, Bodenhemier, Bartnik, and Grimmer), 1 recused (Turnipseed) and 0 opposed.
3. Resolution No. 47, Series 2021, "A Resolution by the Town Council of the Town of Eagle, Colorado Appointing Christopher Kehoe to serve as the Alternate Member on the Open Space and Recreation Advisory Committee."

MOTION: Council Member Matt Solomon motioned to approve Resolution No. 47, Series 2021, "A Resolution by the Town Council of the Town of Eagle, Colorado Appointing Christopher Kehoe to serve as the Alternate Member on the Open Space and Recreation Advisory Committee." The motion was seconded and passed with a vote of 5 in favor (Solomon, Turnipseed, Bodenhemier, Bartnik, and Grimmer) and 0 opposed.

4. Resolution No. 48, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Modified Code of Conduct and Ethics Policy"

Brandy Reitter presented this item.

Matt Mire Town Attorney provided an overview of remedies for violations, which would include a letter of censure and a public reprimand. The intent of this would be to alert voters to initiate a recall.

Council comments: discussed removal as a remedy to certain violations. Matt Mire stated the Town could do it but would need to determine the justification. Discussion on reducing attendance percentage from 90% to 80% annually to increase interest in serving on the Council. Further discussion on allowing attendance virtually. Additional discussion on the value of in-person meetings versus virtual. Discussion on emergency absences not counting towards the requirement and allowing the Council to determine as a whole whether to excuse those absence types. Brandy provided staff could create a virtual meeting policy for consideration as the current amendment only addresses in-person meetings. Matt Mire suggested the Council hold off on final direction and decision until a full Council is present.

5. Sweetwater Lake Funding Contribution Request

Brandy Reitter presented this item. In 2020 the Town unfunded this contribution and did not fund it in the 2021 budget. This request was approved by a previous board.

Council comments: inquiry to the Eagle Valley Land Trust on what the funding would be used for. Bergen Tjossem from the Eagle Valley Land Trust provided that the funding would be for long-term stewardship of the property. Discussion to consider the original contribution by the previous Council and support for community partners who rely on continuity from the Town, regardless of the current members.

MOTION: Council Member Ellen Bodenhemier motioned to approve the Sweetwater Lake Funding Contribution Request in the amount of \$10,000. The motion was seconded and passed with a vote of 4 in favor (Turnipseed, Bodenhemier, Bartnik, and Grimmer) and 1 opposed (Solomon).

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Choose Council Member to write for Eagle Today
Geoff Grimmer was selected.

2. Council Committee Updates

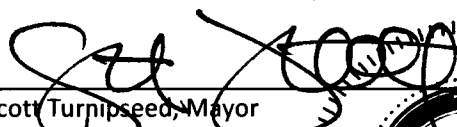
3. Future Agenda Items

Matt Solomon provided an overview of the history of the Eagle River Park.

ADJOURN – 8:45 PM

Approved:

Date:



Scott Turnipseed, Mayor



Jenny Rakow, CMC Town Clerk



