MEETING MINUTES
Town Council
Tuesday, October 26, 2021
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access for the public to attend in person or via Zoom.

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst (via Zoom), Scott Turnipseed, Ellen Bodenhemier, David Gaboury, Janet Bartnik, Geoffrey Grimmer

COUNCILMEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
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
Carrie Buhlman, Sergeant
Dennis Wike, Town Engineer
Kelly Huitt, Senior Accountant
Kevin Aoki, Information Technology Manager
Peyton Heitzman, Planner I

ADOPTION OF AGENDA

Mayor Turnipseed acknowledged that the agenda had been previously amended to move an item from the Consent Agenda. The amended agenda was republished for this meeting.

PUBLIC COMMENT

Jay Lucas - 47 Polar Star, Eagle County BMX is interested in making improvements to the BMX track and will return with request on how much funding is needed.

PRESENTATIONS

1. Eagle Police Department, Lifesaving Award
   Chief Staufer presented the award to Officer Callan.

CONSENT AGENDA

MOTION: Councilmember Janet Bartnik motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

1. Minutes October 12, 2021

2. Resolution No. 74, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Granting a Non-Exclusive Utility Easement to Black Hills Energy for Relocation of Two Gas Lines for the Reserve at Hockett Gulch Development"

STAFF REPORTS

1. Town Manager Update
   Inquiry regarding using NV5 in 2022 for assistance in coordinating the pavilion.

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: Mauka Poke Bar LLC dba Mauka Poke Bar - New Beer & Wine Liquor License
   Mayor Turnipseed convened as the Liquor License Authority. Applicants were present.

   MOTION: Councilmember Ellen Bodenhemier motioned to approve the Findings and Order approving a new Beer & Wine License for Mauka Poke Bar LLC located at 700 Chambers Avenue Unit A4 and direct 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 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

BUSINESS ITEMS

1. Municipal Broadband Project Update
   Brandy Reitter presented this item. Neil Shaw, Dave Stockton, and Michael Gardner were present via Zoom.

   Troy Bernberg presented the financing proposal with Alpine Bank.

   Neil Shaw and Dave Stockton from Uptown Services gave a presentation and update on the construction of the THOR broadband project.

   Council comments: discussion about the ARPA grant funds, how the town qualifies, and whether they should be used for other projects. Discussion on IT staffing for the Meet Me Center. Discussion and clarification on the costs of the refinance and effect on the wastewater enterprise fund in event of default. Discussion on the benefit of the town pursuing this project with Glenwood Springs doing it at the same time.

   Andy Davis from Comcast provided information regarding services and capacities in the Town of Eagle.

   Mayor Scott Turnipseed opened public comment.

   Brian Lewis – expressed support for the town to pursue THOR and broadband as a utility.

   Council comments: discussion on financial risk and necessity for the town to compete with other providers of broadband. Concern that current providers are filling the void of broadband access. Further discussion on opportunity for the town to attract businesses to town, reference to other towns that are going ahead with providing broadband as a utility and maintaining high customer service standards. Council agreed they needed more time to consider the proposals.

   MOTION: Councilmember Janet Bartnik motioned to continue the discussion regarding the Municipal

Broadband Project and financing. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

2. LBWTP Change Order No. 13 and 14
   Tom Gosiorowski presented this item.

   MOTION: Councilmember Janet Bartnik motioned to approve amending the contract with MWH Constructors Inc. with Change Orders #13 and #14 and authorizing the Town Manager to execute the same. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

3. Brush Creek Management Plan Discussion
   Tom Gosiorwoski presented this item.

   Council comments: confirmation that stream monitoring will be requested in the 2022 budget. Clarification on the entities that are part of the management plan. Request to have the State Water Commissioner assist if necessary to ensure other entities not part of the management plan adhere to property water uses. Solutions will include installing new gauges for real-time monitoring of stream flows.

4. Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan"
   Peyton Heitzman presented this item.

   MOTION: Councilmember Janet Bartnik motioned to approve Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

5. Resolution 73, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado to Ratify the Adopted East Eagle Sub Area Plan (EESAP)"
   Peyton Heitman presented this item.

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

   Town Attorney Matt Mire provided that his office received a letter from Red Development relating to this item. Matt is requesting the Council continue this item until November 9, 2021, and is also requesting an executive session before this item on November 9, 2021, as it relates to this letter.

   MOTION: Councilmember Geoffrey Grimmer motioned to continue Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan" until November 9, 2021, Town Council Meeting. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

6. 2022 Proposed Budget Review and Discussion
   Brandy Reitter presented this item.

   The staff is requesting an additional position for the police department. Also requested clarification on the economic development budget and a review of the line items for the DDA to ensure there were no duplicates. Additional funding discussion for the Haymaker Trailhead Site Plan to ensure it can be planned along with Mountain Recreation's plan for that area. Discussion on a succession plan for Building Official and additional staff for Community Development.

7. Eagle River Park Conveyance and Annexation Request Letter
Brandy Reitter presented this item.

Council approved the letter and for Brandy to send it to Eagle County.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items
Councilmember Geoffrey Grimmer requested a work session relating to diversity and inclusion for March 2022.

2. Council Committee Updates
Councilmember Ellen Bodenhemeir updated that the Open Space open house went really well. An online survey is available for those who are interested.

Mayor Scott Turnipseed updated that he presented to Park City on sustainability.

EXECUTIVE SESSION - 9:05 PM

MOTION: Councilmember Scott Turnipseed motioned to enter into Executive Sessions pursuant to C.R.S § 24-6-402(4)(f) – Personnel Matters, regarding performance review of the Town Manager and request to adjourn the regular meeting at its conclusion. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

1. Executive Sessions pursuant to C.R.S § 24-6-402(4)(f) – Personnel Matters, regarding performance review of the Town Manager and request to adjourn the regular meeting at its conclusion.

ADJOURN - 10:05 PM

approved:
Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

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SEAL