



MEETING MINUTES
Town Council
Tuesday, August 23, 2022
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 via Microsoft Teams.

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, Janet Bartnik, Geoffrey Grimmer, Sarah Parrish, Nick Sunday

COUNCILMEMBERS ABSENT

None

STAFF PRESENT

Larry Pardee, 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
Carrie Buhlman, Interim Police Chief
Dennis Wike, Engineer
Peyton Heitzman, Planner
Jessica Lake, Planner

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Councilmember Ellen Bodenhemier motioned to adopt the agenda. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

PUBLIC COMMENT

CONSENT AGENDA

MOTION: Councilmember Nick Sunday motioned to approve the consent agenda. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

1. Minutes - August 9, 2022
2. Resolution 70, Series 2022 "A Resolution Approving an Intergovernmental Agreement Between the Eagle County Clerk and Recorder and the Town of Eagle Concerning the Tuesday, November 8, 2022, Coordinated Election"

STAFF REPORTS

1. Town Manager Update
Larry reviewed the town manager report.

LIQUOR LICENSE AUTHORITY - 6:20 PM

1. PUBLIC HEARING: Roam Enterprises LLC, Modification of Premises, Sidewalk Service Area - 139 Broadway Unit E.
Mayor Scott Turnipseed opened the public hearing for Roam Enterprises LLC, Modification of Premises, Sidewalk Service Area at 139 Broadway Unit E.

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

MOTION: Councilmember Janet Bartnik motioned to approve the Findings and Order Approving a Modification of Premises for a sidewalk service area for Roam Enterprises LLC and direct the Town Clerk to submit the application to the State of Colorado. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

BUSINESS ITEMS

1. PUBLIC HEARING: File #DR22-03 435 Eby Creek Apartments (continued from August 9th)
Mayor Scott Turnipseed opened the public hearing for File# DR22-03 435 Eby Creek Apartments.

Mayor Scott Turnipseed opened public comment for this item. There was no public comment.

- a. Resolution 61, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Major Development Permit and Associated Development Agreement for 435 Eby Creek Road"

MOTION: Councilmember Janet Bartnik motioned to approve Resolution 61, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Major Development Permit and Associated Development Agreement for 435 Eby Creek Road". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

2. PUBLIC HEARING: File #MS22-02 Minor Subdivision of Lots 9-13 and Tract F
Mayor Scott Turnipseed opened the public hearing for File #MS220-02 Minor Subdivision of Lots 9-13 and Tract F.

Jessica Lake presented this item.

Mayor Scott Turnipseed opened public comment for this item. There was no public comment.

- a. Resolution 72, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Minor Subdivision of Haymeadow Lots 9-13 and Tract F"

MOTION: Councilmember Janet Bartnik motioned to approve Resolution 72, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Minor Subdivision of Haymeadow Lots 9-13 and Tract F". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

3. PUBLIC HEARING: File #DR21-02 Major Development Permit for Reserve at Hockett Gulch (continued from July 26, 2022)

Mayor Scott Turnipseed opened the public hearing for File #DR21-02 and File #PPFP21-02

Chad Phillips presented this item and reviewed the key pending issues for staff.

Justin Sand presented for the applicant and stressed the need to move forward in a timely manner. Council comments: discussion on whether any of the conditions were deal breakers, applicants stated they would be able to satisfy them. Council confirmed they had no issues with the staff recommendations or conditions. Applicants requested major development approval. Discussion regarding the need for 16-inch water main with cost sharing with the Town of Eagle. Tom Gosiorowski Public Works Director provided an explanation and the benefit to the community but felt the estimate was too high. Further discussion on the timing of approvals, infrastructure improvements, and ability to start the project this fall. Flexibility was discussed for certain aspects of the improvements. Staff will prioritize the review of the plans with the applicant to keep the project moving forward. Town Attorney Matt Mire confirmed that his office would prepare the Development Agreement once more information was provided. Staff requested a deadline of August 29th for all outstanding items so they could be reviewed by both staff and the town attorney to prepare for the September 13 Town Council meeting.

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

MOTION: Councilmember Janet Bartnik motioned to continue File#Dr21-02 Major Development Permit for Reserve at Hockett Gulch and File #PPFP2102 Preliminary Plan and Final Plat for Reserve at Hockett Gulch to the September 13, 2022, Town Council meeting. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

4. PUBLIC HEARING: File # PPFP21-02 Preliminary Plan and Final Plat for Reserve at Hockett Gulch (continued from July 26, 2022)

5. Resolution 73, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 8, 2022, to be Coordinated with Eagle County, and Submitting Ballot Questions to the Town's Registered Electors at Such Special Election"

Jill Kane presented this item.

Council comments: Council Member Nick Sunday provided the Council with his thoughts on the ballot question and Intergovernmental Agreement forming the new transportation authority. Believed that it could reduce some traffic on Grand Avenue and provide some extra service routes to Eagle residents. There were some concerns that Eagle will be paying almost 30% of the election costs which mostly benefits users up valley. Other concerns related to sales tax implications for Eagle residents as opposed to tourist-based sales tax generation and whether Eagle would want to use a sales tax increase for other town-specific projects. Eagle and Gypsum residents would also not benefit from the free bus fares proposed in the plan.

MOTION: Mayor Scott Turnipseed motioned to Approve Resolution 73, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 8, 2022, to be Coordinated with Eagle County, and Submitting Ballot Questions to the Town's Registered Electors at Such Special Election". The motion was seconded and passed with a vote of 5 in favor (Kerst, Turnipseed, Bartnik, Grimmer, and Parrish) and 2 opposed (Bodenhemier and Sunday).

6. Ordinance 14, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.10 of the Eagle Municipal Code Concerning the Requirements for Licensed Liquor Establishments"

MOTION: Councilmember Sarah Parrish motioned to approve Ordinance 14, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.10 of the Eagle Municipal Code Concerning the Requirements for Licensed Liquor Establishments". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items

A reminder that there is a work session on September 6th to review the housing study.

Council Member Nick Sunday stated that Dave Dantas approached him regarding the outdoor rock-climbing wall on Chambers in the retention pond. Staff stated it is currently not allowed in that zone district. He is working with engineering on the calculations.

Council Member Ellen Bodenhemier inquired about the vandalism at the Town Park bathrooms and if we had security cameras budgeted for this year. Staff provided that Kevin Aoki is working on the security camera package and can update the Council on that progress.

Council Member Ellen Bodenhemier asked if the issues with the fire pit at the river park were resolved. Tom Gosiorowski stated staff is working on a more permanent fix with the igniter.

2. Council Committee Updates

Discussion on the Second Gulch trail width restriction. Currently, the OSRAC committee is favorable to the 62-inch limit. This item will be on the September 13th Town Council agenda for discussion.

Council Member Geoff Grimmer updated the Council that he will be attending the Mountain Towns 2030 Conference in Breckenridge on September 22nd.

Discussion on the Brush Creek Park playground replacement. Tom Gosiorowski provided that he would try to refurbish the wood structure. The Town will need an RFP to do a refurbish and add amenities to it. The Council suggested doing another community build for the refurbish since it drew so many community members to the park.

Mayor Scott Turnipseed stated that Peyton Heitzman, Nikki Davis, and Elizabeth from Clarion are doing fantastic with their outreach and presentations for the Land Use Development Code Update.

Council Member Ellen Bodenhemier inquired if the LERP rental guideline are included in the Land Use Recode project. Staff stated that it would be. Council asked that we look at the entire program to ensure it meets our current standards, including rentals.

ADJOURN - 7:50 PM

MOTION: Councilmember Mikel ("Pappy") Kerst motioned to adjourn. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

Date:



Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk