Town Board of Trustees
Tuesday, July 9, 2019
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.

6:00 PM - REGULAR MEETING CALLED to ORDER and ROLL CALL

TRUSTEES PRESENT
Kevin Brubeck, Andy Jessen, Mikel Kerst, Matt Solomon, Scott Turnipseed, Anne McKibbin

TRUSTEES ABSENT
Paul Witt

STAFF
Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
Carrie McCool, Interim Town Planner/Comm Dev Director
Kelly Huitt, Senior Accountant Finance
Bryon McGinnis, Public Works Director
Dawn Koenig, Admin Assistant/Comm Dev

ADOPTION OF AGENDA

There were no changes to the agenda.

PUBLIC COMMENT

Mayor McKibbin opened the meeting with a moment of silence for public servants William Moden from CSP and Taylor Esslinger from ECSO and GFPD.

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

PRESENTATIONS

1. Eagle County Loan Fund Grant Request, Kim Bell Williams Eagle County

   Presentation was given by Kim Bell Williams Eagle County Housing Director, Nicholle Jackson, Tori Franks and Kevin Armitage. Request was made for financial assistance for the Eagle County Loan Fund for the matching grant with Eagle County.

   Board Comments: inquiry made regarding loan write offs and losses. Tori Franks stated 3% losses have been recorded over the entire portfolio since 1999. Discussion regarding the Town's program and whether it should stay for Town employees or get rolled into this program. If this was done, the funding would be available for all of Eagle County and not just in Eagle or for Eagle employees. Suggestion from Eagle County was to work on a partnership with the Town on their EHOP program to help it grow. This request will be part of the 2020 Budget discussion.

CONSENT AGENDA

1. Minutes - June 25, 2019

2. Bill Pay - June 2019

   Board Comments: Inquiry about payments to Eagle County for dues and subscriptions and THOR Feasibility study.

a. General Government Budget to Actual

   Board Comments: Would like detailed line item budget detail for the Board to review the General Government showing breakouts, including Community Requests for Year to Date.

TOWN MANAGER AND DEPARTMENT UPDATE

1. Town Manager Update

   Brandy Reitter highlighted her report including Flight Days recap. Thanked staff, volunteers and public safety for helping with event.

   The Town hosted a Home Rule Charter Commission informational meeting last night and had five attendees.

   River Park damage assessment is taking place regarding the path, will have numbers to review at our next meeting.

   Board Comments: Would like a budget to actual midyear report for the whole budget. Requested the signage at the River Park regarding take out at Chambers Park be reworded if posted again.

2. Department Update

   a. Staff Introduction, Mark Herota

      Brandy Reitter introduced Mark Herota who joined us three weeks ago in the position of Utility Billing and Accounting Specialist. Mark was welcomed by the Town Board.

3. Eagle River Park Update, John Usery NV5

   John Usery provided an update to the Board regarding the flood damage. A report will be submitted to the Town Board.

   Board Comments: soft path decision was reviewed vs. concrete and the budgetary, FEMA and permit requirements that aided that decision to choose the crusher fines.

OLD BUSINESS - NONE

NEW BUSINESS

1. Ordinance 17-2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Amending Various Sections Of The Eagle Municipal Code Concerning The Maximum Sentence For Imprisonment For Violations Of The Municipal Code

Matt Mire briefed the Board on this item and that it addresses Statutory compliance.

MOTION: Trustee Andy Jessen motioned to Approve Ordinance 17-2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Amending Various Sections Of The Eagle Municipal Code Concerning The Maximum Sentence For Imprisonment For Violations Of The Municipal Code. Motion was seconded and Passed with a vote of 6 in favor and 0 opposed.

2. Ordinance 18-2019 An Ordinance Initiating The Adoption Of A Home Rule Charter For The Town Of Eagle, Providing For The Election Of Charter Commission Members, Authorizing Participation In The 2019 Coordinated General Election, And Declaring An Emergency (Roll Call Vote Required)

Board Comments: inquiry as to why the Ordinance was an Emergency Ordinance. Town Clerk and Attorney stated that due to the statutory and election timeline for this process and approvals necessary to hold the election, the Ordinance needed to be effective immediately and not 30 days after publication.

MOTION: Trustee Kevin Brubeck motioned to Approve Ordinance 18-2019 An Ordinance Initiating The Adoption Of A Home Rule Charter For The Town Of Eagle, Providing For The Election Of Charter Commission Members, Authorizing Participation In The 2019 Coordinated General Election, And Declaring An Emergency (Roll Call Vote). Motion was seconded and Passed with a vote of 5 in favor (Jessen, Brubeck, Kerst, McKibbin and Turnipseed) and 1 opposed (Solomon).

3. Ordinance 19-2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Amending Section 5.15.110 Of The Eagle Municipal Code Concerning The Hours Of Operation For Medical Marijuana Businesses

MOTION: Trustee Kevin Brubeck motioned to Approve . Motion was seconded and Passed with a vote of 6 in favor and 0 opposed.

Ordinance 19-2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Amending Section 5.15.110 Of The Eagle Municipal Code Concerning The Hours Of Operation For Medical Marijuana Businesses

4. Pilot Parklet Program Proposal

Brandy Reitter presented this item. This is in regarding request by Brush Creek Saloon to install a temporary patio structure in town right of way using parking spaces. Board is being asked for direction on a policy to address this request.

Board Comments: believed it was a good idea to try downtown to see what works. Having standards and a process is good. Future consideration to close Broadway from 2nd through 4th Streets and put parking structure behind Town Hall. Requested staff prepare a concept table for deeper discussion. Concerns for neighboring businesses and impacts on their customers. Bill Shrum will obtain this feedback for the Board. Preference to have the downtown merchants propose and provide their support for this. Staff suggestion was made regarding the landscape planters along the sidewalks and re-purposing that area to allow room for patios. Concerns were raised regarding snow removal, staff stated the temporary structure would likely not be used past snow season. Requested proposed fee structure for encroachment and right of way use for this specific use. Concerns regarding limiting parking for businesses downtown and enforcement responsibilities for staff. Staff will create template and request from Brush Creek for the next meeting.

5. Final EQR Table Implementation Update

Carrie McCool and Dawn Koenig presented this item.

Board Comments: Concern with the report regarding adjustments made to the current EQR structure was not about generating revenue. Acknowledgement that there is no perfect system for this. Agreed that using square footage of a residence or lot size is an easy metric, however, pros and cons exist with both. Discussion regarding process for remodel and need for definition of bedroom to address different room types being used to avert the EQR table for bedrooms. Discussed eliminating the ADU EQR charge. Staff preference is to use lot size and have a definition for bedroom. Concern regarding going backwards and not use the current system that was prepared by SGM and previously adopted by the board. Staff will provide comparison of proposals including budget impacts on the water model for board consideration.

BOARD DISCUSSION AND FUTURE AGENDA ITEMS

Trustee Brubeck would like the arrows in the Eby Creek/Bluff's Drive roundabout be looked at. Bryon stated staff is coordinating painting with CDOT.

Trustee Brubeck would like to consider rescinding the public safety fee ordinance and put in front of the voters. Concern that fees of this nature are too similar to a tax. Town Attorney provided input that the fee was appropriately presented in an Ordinance. Board members present were not in favor of this proposal.

Request to include times on the agenda for items.

EXECUTIVE SESSION

1. Executive Session: Pursuant to CRS Section 24-6-402(4)(f) to discuss personnel matters, regarding a mid-year check-in with the Town Manager.

MOTION: Mayor Anne McKibbin motioned to Adjourn the Regular Meeting and Entering into Executive Session pursuant to Colorado Revised Statutes, Title 24, Article 6, Section 402, at subsection 4(f) to go into executive session to discuss personnel matters, regarding a mid-year check-in with the Town Manager. As this executive session involves a personnel matter, the employee involved has been given an opportunity to require that this discussion be conducted in public, and the employee has indicated that she wishes for this discussion to occur in private. Motion was seconded and Passed with a vote of 6 in favor and 0 opposed. (8:21 p.m.)

MOTION: Trustee Kevin Brubeck motioned to Adjourn from Executive Session. Motion was seconded and Passed with a vote of 6 in favor and 0 opposed. (10:05 p.m.)

ADJOURN – 10:05 PM

Approved:

Date:

Anne McKibbin, Mayor

Jenny Rakow, CMC Town Clerk

OFFICIAL SEAL

TOWN OF EAGLE

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