



**Town Board of Trustees
Tuesday, September 10, 2019
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO
MEETING MINUTES**

*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

Anne McKibbin, Kevin Brubeck, Andy Jessen, Paul Witt,
Matt Solomon

TRUSTEES ABSENT

Mikel "Pappy" Kerst and Scott Turnipseed

STAFF

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Mary Elizabeth Geiger, Town Water Attorney
Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
Carrie McCool, Contract Town Planner
April Kroner, Community Development Director
Kelly Huitt, Finance
Bryon McGinnis, Public Works Director
Carrie Buhlman, Sergeant

ADOPTION OF AGENDA

There were no changes to the agenda, with notation we may adjust timing of items for Hockett Gulch hearing if needed to ensure public is available.

PUBLIC COMMENT

Luke Causey, was present and requesting funding for the local masonic lodge for their annual Christmas event. He requested \$2,100. Mayor McKibbin stated Town Board would review during their budget worksession this week. Luke was encouraged to make request through MEAC's annual process. Brandy Reitter stated the forms and application would be available on our website shortly.

PRESENTATIONS

1. ECO Transit & Trails, Jared Barnes - ECO Transit First/Last Mile Strategy Study
Jared Barnes, Eco Transit. Gave presentation and update on ECO transit study.

Board Comments: inquired on further discussion for valley wide authority. Jared stated there has been additional conversations.

CONSENT AGENDA

MOTION: Trustee Matt Solomon motioned to Approve the Consent Agenda with requested edits. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

1. Minutes - August 27, 2019

Board Comments: Trustee Solomon requested edit in minutes to include board consensus for licensing process for tobacco sales.

2. Bill Pay - August 2019

No comments.

TOWN MANAGER AND DEPARTMENT UPDATE

1. Town Manager Update

Brandy provided an overview of her report.

Board Comments: inquiry as to why more municipal court defendants are not paying on time. Brandy provided information on the process and collections that have been added to the amounts.

2. Department Update

No comments.

3. Lower Basin Water Treatment Plant Project Report

No comments.

PUBLIC HEARINGS - QUASI JUDICIAL HEARING

1. New Beer and Wine Liquor License for Katch of the Day LLC, Kathleen Conner Owner

Mayor McKibbin called a recess for the regular meeting to convene as the Liquor License Authority.

Town Clerk Jenny Rakow provided information that the application was deemed sufficient and met all criteria for approval.

Mayor McKibbin opened the public hearing.

Applicant Kat Conner was present and gave brief description of Katch of the Day.

There were no further public comments.

Mayor McKibbin closed the public hearing.

MOTION: Trustee Kevin Brubeck motioned to Approve the New Beer and Wine Liquor License for Katch of the Day LLC and directed the Mayor to sign the Findings of Facts and Order. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

Mayor McKibbin adjourned as the Liquor License Authority and resumed the regular meeting.

2. Reserve at Hockett Gulch Annexation and Planned Unit Development

Mayor McKibbin opened File Numbers AN 18-01 and PUD18-02.

Carrie McCool representing Town planning staff provided introduction to this item and provided update on the additional information requested from August 27th in an attempt to resolve three issues: timing of the water rights payment, making corrections in the Annexation Agreement that referenced the PUD and included the deed and rental restriction agreements attached to the annexation agreement. All have been addressed and staff has worked with applicant to finalize the documents. All exhibits are with the approvals tonight. Four additional public comment letters will be added to the record and will be posted on our website. Staff finds the applications substantially meet the goals and objectives of community plan, meets the Towns rules, regulations, ordinances and approval criteria of our code. Staff is recommending approval. Applicant is present to answer questions.

Board Comments: request for standards of approval for public to view on the screen. Clarification of gross income was requested and explained by applicant's attorney. Retirement funds would not be included that was not accessed or used as income.

Applicant Dominic Mauriello stated they do not have a presentation tonight.

Board Comments: a request for phasing was made. Applicant indicated that there would be 196 apartment units in the first phase within two years, along with the club house, pool, recreation facilities, and road connection to Highway Six. Second phase would be 196 apartment units on south side and phase three is unknown timeline at this time.

Mayor McKibbin opened the hearing for public comment at 6:58 p.m.

Keith Klesen 110 Ewing: agreed with housing need, did not agree with density of this project. Against the project as presented.

Rosie Shearwood 9081 brush creek road. concerned with traffic, parking for tenants and storage. Concern with building height and density. Against the project as presented.

Mick Daly 1843 East Haystacker Drive. Advocate for health and managed growth. Considered this a healthy housing addition to Eagle and an option for younger workforce that will support local businesses. Approves of the project as presented.

Nicole Aslin 127 Callie Clark Ct. Concern with affordability of rental prices.

Chris Romer Vail Valley Partnership 97 Main Street Edwards. Supports this project for businesses and believes density and deed restrictions are appropriate. Approves of the project as presented.

Steve Lindstrom 1140 Capitol Street. Believes rental rates will resolve within the market and become naturally occurring affordable housing. Did not support any more restrictions. Approves of the project as presented.

Mayor McKibbin closed the Public Hearing and public comment at 7:13 p.m.

Board Comments: comment that the only variance to this project is the parking. Carrie McCool responded that a PUD it is about tradeoffs and providing flexibility and public benefit. Board members thanked staff, applicant and public for their time and effort on this process and for the discussion. Concern that the Town of Eagle has too many single family and not enough mixed density within those neighborhoods, did not want to see it get worse. Affordability was not in the boards control. Parking seemed adequate and comparable to other multifamily units recently built. Concern if this project was the best solution. The Town will have funding to address traffic and Highway Six, which will become a priority as we move forward.

Ordinance 15-2019 - An Ordinance of the Board of Trustees of the Town Of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Approving the Associated Annexation Agreement (Reserve at Hockett Gulch)

a.

MOTION: Trustee Andy Jessen motioned to Approve Ordinance 15-2019 - An Ordinance of the Board of Trustees of the Town Of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Approving the Associated Annexation Agreement Motion was seconded and Passed with a vote of 4 in favor and 1 opposed.

Ordinance 18-2019 - An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Zoning Certain Newly-Annexed Property as Planned Unit Development and Creating Vested Property Rights (Reserve at Hockett Gulch) Request to have date changed in Ordinance to reflect September 10th hearing date.

b.

MOTION: Trustee Andy Jessen motioned to Approve Ordinance 18-2019 - An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Zoning Certain Newly-Annexed Property as Planned Unit Development and Creating Vested Property Rights (Reserve at Hockett Gulch) with amendment to hearing date to September 10, 2019. Motion was seconded and Passed with a vote of 4 in favor and 1 opposed.

OLD BUSINESS

1. Revision of Equivalent Residential Unit ("EQR") Table

Ordinance 22-2019 An Ordinance of the Board of Trustees of the Town of Eagle, Colorado amending Section 12.16.060 of the Eagle Municipal Code concerning Water and Sewer Plant Investment Fees for single-family homes.

a.

Brandy Reitter presented this item. This amendment to the code will return the Town to lot size calculation as it relates to water and sewer plant investment fees. The board's request for a definition of a sleeping room will come back for approval at a later date.

MOTION: Trustee Matt Solomon motioned to Approve Ordinance 22-2019 An Ordinance of the Board of Trustees of the Town of Eagle, Colorado amending Section 12.16.060 of the Eagle Municipal Code concerning

Water and Sewer Plant Investment Fees for single-family homes. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

NEW BUSINESS-8:05 PM

1. Violet Lane Water Line: Pay Application No.4 (Roll Call Vote Required)

Bryon McGinnis presented this item.

MOTION: Trustee Kevin Brubeck motioned to Approve the Violet Lane Water Line: Pay Application No. 4 in the amount of \$67,101.93 to Hobbs Excavating and Trucking, LLC. Motion was seconded and Passed with a vote of 5 in favor (Solomon, Jessen, Brubeck, McKibbin and Witt) and 0 opposed.

2. Amendment of Section 4.4.110 of the Eagle Municipal Code Regarding Local Employee Residence Requirements (LERP)

Ordinance 21-2019 - An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Amending Section 4.04.110 of the Eagle Municipal Code To Allow the Payment of Cash in Lieu of Compliance with the Local

- a. Employee Residence Requirements for New Development and to Allow for the Provision of Local Employee Residences Off-site

Carrie McCool provided overview of this request. This will allow for flexibility to the board with regard to these types of requirements and will allow for payment or off-site housing in lieu.

Mayor McKibbin made public comment available. There was no public comment.

Board Comments: Board felt this language and addition to our code would allow needed flexibility.

MOTION: Trustee Matt Solomon motioned to Approve Ordinance 21-2019 - An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Amending Section 4.04.110 of the Eagle Municipal Code To Allow the Payment of Cash in Lieu of Compliance with the Local Employee Residence Requirements for New Development and to Allow for the Provision of Local Employee Residences Off-site. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

BOARD DISCUSSION AND FUTURE AGENDA ITEMS

Brubeck: Bears in the Terrace! Our billboards work.

Solomon: requested agenda item to discuss School Resource Officer.

1. Bicycle Dismount Proposal, Mayor McKibbin

Mayor McKibbin asked for discussion regarding proposing a dismount zone for downtown sidewalks on Broadway and possibly on Capitol in Eagle Ranch.

Board Comments: is this a large enough concern to create an ordinance. Want to stay bike friendly and would not want to discourage bikers from biking downtown to restaurants. Bigger picture could be addressed as it relates to

bicycles in Eagle to ensure we plan for the whole community, including bike paths and trails. Currently our code addresses bikes as vehicles and any violation could be addressed using that definition. Consensus was to work on bigger picture to address bicycles.

2. Meeting Agenda Revision Proposal

Brandy Reitter provided an agenda to consolidate a few items, with modifications being in the spirit of increasing meeting flow.

Board Comments: Consensus to change it as Brandy proposed. Additional comments on how board members can get an item on the agenda. Brandy stated we would like to have a policy to address it. Currently the Mayor can be contacted to get items placed on the agenda.

3. NWCCOG Update, Mayor McKibbin

No comments.

4. Eagle Vision 20/20 October 2, 2019

Mayor McKibbin will not be here for this meeting. Kevin Brubeck will stand in as Town representative.

5. Climate Action Collaborative letter to the BOCC

Mayor McKibbin requested permission to sign the letter on behalf of the Climate Action Collaborative to the BOCC.

Board agreed Anne could sign the letter.

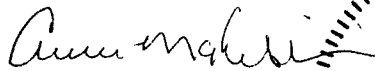
6. Mayors Managers and Partners Meeting Update

No comments.

ADJOURN 8:20 PM

Approved:

Date:



Anne McKibbin, Mayor



Jenny Rakow, CMC Town Clerk

