



**Town Board of Trustees
MEETING MINUTES
Tuesday, October 22, 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.*

CALL TO ORDER

Mayor McKibbin called the meeting to order at 6:02 p.m.

ROLL CALL - 6:05 PM

TRUSTEES PRESENT

Anne McKibbin, Kevin Brubeck, Jessen, Mikel, Kerst,
Scott Turnipseed, Paul Witt

TRUSTEES ABSENT

Matt Solomon

STAFF

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
April Kroner, Town Planner/Comm Dev Director
Jill Kane, Finance Director/Treasurer
Bryon McGinnis, Public Works Director
Joey Staufer, Police Chief

ADOPTION OF AGENDA

An addition to the Agenda was made for a presentation from Eagle Valley Land Trust and Jim Daus.

PUBLIC COMMENT

Kathy Heicher, 641 Wall Street. Kathy spoke on behalf of the Eagle County Historical Society regarding the Town's plan to eliminate retail at the Visitors Center. Kathy provided a history of the visitor center and information regarding how the Eagle County Historical Society's museum is tied to the Visitor Center and how this may impact them financially. Urged the Town Board to consider alternative options.

PJ Berg stated the visitors center reflects the consistency dependability of our town and urged the Town Board to keep the visitor center open and active.

PRESENTATION

Jim Daus with the Eagle Valley Land Trust provided a presentation to the Town Board on Sweetwater Lake Ranch initiative and campaign to protect it. The Land Trust is requesting a letter of support and may ask the Town to contribute funding in the future.

Kathy Heicher provided a historical perspective of Sweetwater and support of this initiative.

Liz Mooney President of Sweetwater Community. Urged support for this initiative.

The Town Board agreed to support the Sweetwater Lake Ranch initiative by signing a letter of support.

CONSENT AGENDA

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

1. Minutes - October 8, 2019

STAFF REPORTS

1. Town Manager Update
Brandy Reitter provided highlights of her report.

BUSINESS ITEMS

1. 1088 & 1092 Fourth of July Road Lot Line Adjustment (*Public Hearing*)

Mayor McKibbin opened file #LLA19-02 1088 and 1092 Fourth of July Road Lot Line Adjustment.

Trustee Turnipseed stated he had a potential conflict of interest and stepped down from the dais.

April Kroner presented this item.

Applicant Andrew Peternell was present.

Mayor McKibbin opened the public hearing for public comment. There was no public comment.

- a. Resolution 43-2019 to approve file LLA19-02

MOTION: Trustee Paul Witt motioned to Approve Resolution 43, Series 2019 A Resolution Of The Board Of Trustees Of The Town Of Eagle, Colorado Approving A Lot Line Adjustment For Lots 53 And 54, Eagle Ranch Filing No. 22. Motion was seconded and Passed with a vote of 4 in favor, 0 opposed and 1 abstain.

2. Chambers East Subdivision (*Public Hearing*)

Mayor McKibbin opened File#MS19-01 and File#DR19-05 Chambers East Subdivision.

April Kroner clarified that both files can be approved by adopting Resolution 45, Series 2019. April presented this item.

Applicant Matthew Barry provided comments regarding the requests for approval.

Board Comments: request for clarification on truck traffic flow - April provided applicant will submit analysis for staff approval. Concern regarding landscape and lighting plan not being ready. April provided that those items are at the end of the development and they will be brought forward for review and approval by staff. Clarification regarding easement for parking between both properties was provided. Bryon McGinnis provided input on shared easement for access and parking. Concern raised regarding traffic plan for Chambers Avenue and adding additional truck traffic during peak times. Staff provided clarification that current proposal is a use by right and would not likely result in any road improvements or changes.

Mayor McKibbin opened File#MS19-01 and File#DR19-05 Chambers East Subdivision public hearing for public comment. There was no public comment.

Additional Board Comments: visibility along I-70 and requirement for landscape screening; applicant provided assurances that landscaping will be addressed as this lot will be an entry for Eagle. Confirmation that all conditions are within the Resolution and will be adopted by approval tonight and with previous approval from the Planning Commission.

3. Chambers East Development (*Public Hearing*)

a. Resolution 45-2019 to approve files MS19-01 and DR19-05

MOTION: Trustee Kevin Brubeck motioned to Approve Resolution 45, Series 2019 A Resolution Of The Board Of Trustees Of The Town Of Eagle, Colorado Approving A Final Plat And Development Plan, Creating Vested Property Rights Pursuant To Chapter 4.17 Of The Eagle Municipal Code, Authorizing The Issuance Of A Major Development Permit And Approving An Associated Development Agreement, All For Lot C-14B, Kemp Subdivision. Motion was seconded and Passed with a vote of 6 in favor and 0 opposed.

b. DR19-05 Development Agreement

4. Ordinance 24-2019 Tobacco Licensing Code Amendment

Brandy Reitter presented this item. Included for discussion is a draft ordinance that the Town Board previously staff to create related to Tobacco Licensing.

Board Comments: Request that enforcement could include access to video and electronic media. Request to do outreach with retailers regarding proposed licensing. Request to authorize staff to approve renewals when no issues are raised during renewal process. Consistency with other processes and enforcement opportunity is beneficial to the community. Discussion regarding licensee needing to be 21 when sales can be to 18-year olds.

Chief Stauffer requested our Code to have consistency in regulations with other Eagle County entities.

Mayor McKibbin opened up Ordinance 24, Series 2019 related to tobacco licensing for public comment.

Mandy Ivanov , Eagle County Public Health urged consistency with other Eagle County municipalities and expressed concerns with high vaping use by youth.

Sandy Schrader, Mountain Youth urged support of licensing and reducing youth access to tobacco and expressed concerns regarding increased use of vaping.

Emily McCormack, you be you. Provided information on youth brain development. Expressed support for licensing and to increase the age to 21.

Candace Eaves, Eagle County Schools prevention specialist. Expressed support for increasing age to 21.

Troy Dudley, Red Canyon High School Principal. Provided information on access to tobacco by students. Expressed support for increasing age to 21 and licensing.

Henry McQueeney, Assistant Principal Eagle Valley Middle School. Expressed support for the licensing ordinance and increased age 21.

Mary McGinnis, Eagle Valley Middle School Counselor. Expressed support for licensing and increased age to 21.

Mayor McKibbin closed public comment.

Mayor McKibbin asked the board to reconsider raising the age to 21 for purchasing tobacco.

Attorney Matt Mire stated the licensing ordinance can include raising the age with the direction being given.

Board Comments: request for more school support in monitoring students outside use of tobacco. School staff supported the need for additional monitoring. School staff is being trained on tobacco usage and prevention.

Town Board direction to staff is to bring back another ordinance consistent with area municipalities and include an increase for purchasing tobacco to age 21. Fees and policies should be consistent with current liquor licensing.

MAYOR MCKIBBIN CALLED A 15 MINUTE BREAK

5. Pavement Management and Pathway Maintenance: Pay Application No. 1 to 360 Paving in the amount of \$421,261.74 (*Roll Call Vote Required*)

Mayor McKibbin opened this item.

MOTION: Trustee Scott Turnipseed motioned to Approve Pavement Management and Pathway Maintenance: Pay Application No. 1 to 360 Paving in the amount of \$421,261.74. Motion was seconded and Passed with a vote of 6 in favor (Jessen, Kerst, Brubeck, McKibbin, Turnipseed and Witt) and 0 opposed.

6. 2020 Budget Hearing (*Public Hearing*)

Brandy provided with no current changes to the budget, however, there will be a few at our next meeting. Included in this presentation was the pay plan and fee schedule. Request is to continue this hearing to the November 12, 2019 Regular Town Board Meeting.

Mayor McKibbin opened this item for public comment. There was no public comment.

MOTION: Trustee Scott Turnipseed motioned to Continue the 2020 Budget Hearing to the November 12, 2019 Regular Town Board Meeting. Motion was seconded and Passed with a vote of 6 in favor and 0 opposed.

BOARD DISCUSSION AND FUTURE AGENDA ITEMS

1. Town Manager Performance Review

Brandy provided information that we are using template from last year and Mountain States will facilitate the data collection.

2. Charter Commission Appointment Process

Staff is requesting feedback on the process for appointing the remaining three Charter Commission members. Staff will send out applicants for review. A check in on October 29th will be done at the Special Meeting and, if the ballot passes, appointments will take place at the November 12th regular board meeting via secret ballot.

Matt Mire will check on appointment of an alternate.

BOARD UPDATES/COMMENTS:

Trustee Brubeck: Charlie Wick has inquired about the Town's preparation for 5G and the issues related to the poles being erected in other areas that are causing issues.

Trustee Jessen: provided a climate action committee update.

Mayor McKibbin: may need an official appointment to the Eagle County Transit Advisory Committee and will update the Board after their next meeting.

ADJOURN - 9:05 PM

Approved:

Date:



Anne McKibbin, Mayor



Jenny Rakow, CMC Town Clerk

