



MEETING MINUTES
Town Council
Tuesday, December 13, 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 Bodenheimier, Janet Bartnik, Geoffrey Grimmer, Sarah Parrish, Nick Sunday

COUNCILMEMBERS ABSENT

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
Derek Bos, Police Chief
Cliff Simonton, Senior Planner
Dennis Wike, Engineer
Peyton Heitzman, Planner
Lynette Horan, Human Resources Manager
Jessica Lake, Planner
Eddie Wilson, Building Official
Nikki Davis, Community Development
Jackie VanEyll, Permit Technician
Carrie Buhlman, Lieutenant
Molly Furtado, Special Events Manager
Kevin Aoki, IT Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

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

PUBLIC COMMENT

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

PRESENTATIONS

1. CC4CA, Jacob Smith
Jacob Smith presented this item.
2. Eagle County Historical Society Annual Update, Kathy Heicher

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 - November 8, 2022
2. Bill Pay - November 2022
3. Resolution 88, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Ratifying the Town's Three-Mile Plan Adopted by the Planning and Zoning Commission"
4. Resolution 89, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Development Agreement for Construction of a Mixed-Use Building at 1200 Capitol Street"
5. Resolution 90, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the First Amendment to the Pre-Development Agreement with Eagle Meadows"
6. Resolution 91, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Developer Commitment for Haymeadow"
7. Resolution 92, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the 4th Amendment to the Haymeadow Annexation and Development Agreement"
8. Resolution 94, Series 2022 " A Resolution of the Town Council of the Town of Eagle, Colorado Approving an Agreement for Professional Services with Economic & Planning Systems, Inc. to Complete at Economic Development Plan Study"
9. Resolution 95, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Contract for the Eby Creek Art Mural Project At Chambers and Construction Agreement with Patriacca Construction Inc."

STAFF REPORTS

1. Town Manager Update
Requested to confirm the River Park Work Session in January and to add date for Work Session with Mountain Recreation in February.
2. Department Update
Council comments: discussion on closure of parking lot by community gardens to reduce interactions with elk. Same issue is occurring at the pavilion. Staff is working with CPW officers to address complaints. Larry Pardee has authorized closures of the entire area if we need to. Inquiry on recruitment of positions and request to plan

ahead for the open positions. Larry is working with Lynette or prioritizing and getting equipment purchased. The Council welcomed the new police chief Derek Bos.

Requested a report from finance on 2022 sales tax compared with the budget.

3. Third Quarter Sales Tax Report

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: Transfer of Ownership of a Tavern License- Applicant: Your Father's Office LLC dba Second Street Tavern

Mayor Scott Turnipseed opened the public hearing.

Applicant Brian Kunkel was present for this item.

Mayor Scott Turnipseed opened public comment. There was no public comment (some shouting for "let's do this").

MOTION: Councilmember Janet Bartnik motioned to approve the Findings and Order approving a Transfer of Ownership of a Tavern License for Your Father's Office LLC - located at 127 West Second Street 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 7 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

BUSINESS ITEMS

1. PUBLIC HEARING: File #DR22-06, A Major Development Permit Application to Renovate the Existing Haymeadow Cabin and Grade and Landscape the Surrounding Area for an Outdoor Events Venue (REQUEST TO TABLE)
Mayor Scott Turnipseed opened the public hearing for File #DR22-06, A Major Development Permit Application to Renovate the Existing Haymeadow Cabin and Grade and Landscape the Surrounding Area for an Outdoor Events Venue.

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

MOTION: Councilmember Janet Bartnik motioned to table File #DR22-06, A Major Development Permit Application to Renovate the Existing Haymeadow Cabin and Grade and Landscape the Surrounding Area for an Outdoor Events Venue indefinitely. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

2. 2023 MEAC Recommendations for Event Funding
Molly Furtado opened this item and requested council approval.

Mayor Scott Turnipseed stated he would allow public comment on this item.

Tara Novak - Eagle Arts. Expressed concern with the Block Party and impact on downtown businesses. Presented Resolution outlining the Downtown Business Alliance concerns and requests signed by business owners. Requested that the Council hold off on permitting and funding of this event.

Jennifer Filipowski – Eagle Arts. Expressed concern with the Block Party and impact on downtown businesses. Would like the town to research event promoters and require them to compensate business owners.

Rachel Smiley owner of Everyday Outfitters. Expressed concern with the Block Party and negative impact on her

downtown business during the event

Adrienne Cavallario owner of Roam. Expressed concern about the Block Party and its negative impact on her downtown business during the event.

Maryann Morrison and Jamie Harrison - Eagle Mushroom Festival. The Block Party date is the same weekend as the Mushroom Festival which presents a conflict for attendees and lodging. Concerned they may not be able to pay for vendors if they have a reduction in ticket sales.

Bryan Woods - Downtown Business Alliance. Would like to know enthusiastic support and management of Christmas on Broadway if it is not the DBA. Requested that the Community Table event be held on the Sunday before school starts to increase attendance. The Community Table event would be the same weekend as Block Party in 2023 if that Sunday is chosen and will present a conflict. Requested that the Council withhold funding for the Block Party event and not approve in its current form.

Holli Snyder – MEAC chair. Expressed support for MEAC decision on the Block Party and stated they were not aware of these concerns until now.

Ted Wenninger – event promoter of Eagle Block Party. Expressed disappointment that the Block Party was unhelpful to businesses. The date change was necessary as multiple event promoters are shrinking the ability to get talent for events. They are blocked by other venues from booking any other talent. The event does not turn a profit. Moving the venue would be difficult and more expensive.

Anna Robinson - MEAC member. Expressed support for MEAC's decision on the Block Party and are willing to work with the business community to make this work.

Mayor Scott Turnipseed closed public comment.

Council comments: clarified that approving the funding requests does not approve the event, as they must still submit an application for town approval. Expressed support of additional funding for Christmas on Broadway if it is organized by the Downtown Business Alliance. Discussion on tabling of this until event concerns are addressed. Discussion on allowing MEAC to work with event promoters to work out the business concerns and date conflicts.

MOTION: Councilmember Janet Bartnik motioned to approve the 2023 MEAC Recommendations for Event Funding. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Parrish, and Sunday) and 1 opposed (Grimmer).

3. Ordinance 22, Series 2022, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Section 3.05.050.B of the Eagle Municipal Code Concerning the Collection and Administration of the Town's Use Tax" Jill Kane Finance Director presented this item.

MOTION: Councilmember Ellen Bodenheimier motioned to approve Ordinance 22, Series 2022, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Section 3.05.050.B of the Eagle Municipal Code Concerning the Collection and Administration of the Town's Use Tax". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

4. Resolution 84, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado, Establishing and Adopting a Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code"
MOTION: Councilmember Janet Bartnik motioned to approve Resolution 84, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado, Establishing and Adopting a Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code". The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed,

Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

5. Resolution 93, Series 2022, "A Resolution Levying General Property Taxes For the Year 2022, To Help Defray the Costs of Government for the Town of Eagle, Colorado, for the 2023 Budget Year"
Council comments: expressed interest in ballot question to voters so we can adjust the mil levy.

MOTION: Councilmember Sarah Parrish motioned to approve Resolution 93, Series 2022, "A Resolution Levying General Property Taxes For the Year 2022, To Help Defray the Costs of Government for the Town of Eagle, Colorado, for the 2023 Budget Year". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

6. Resolution 86, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado to Work with Eagle County Communities to Implement the 2021 International Energy Conservation Code and to Identify and Adopt Supporting Amendments that Align with State Law and Support the Implementation of the Climate Action Goals Identified by the Climate Action Collaborative for the Eagle County Community."

MOTION: Councilmember Geoffrey Grimmer motioned to approve Resolution 86, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado to Work with Eagle County Communities to Implement the 2021 International Energy Conservation Code and to Identify and Adopt Supporting Amendments that Align with State Law and Support the Implementation of the Climate Action Goals Identified by the Climate Action Collaborative for the Eagle County Community.". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

7. Resolution 87, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Concerning Appointments to the Eagle Valley Transportation Authority Board"
Council comments: Janet Bartnik and Nick Sunday were nominated.

MOTION: Councilmember Sarah Parrish motioned to approve Resolution 87, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Concerning Appointments to the Eagle Valley Transportation Authority Board" and appointing Janet Bartnik as board member and Nick Sunday as alternate. 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
Council Member Bodenhemier inquired about parked cars on Third Street during snow events. Public works is working to address this issue and similar issues relating to code enforcement and snow clearing.
2. Council Committee Updates
Council Member Bodenhemier OSRAC is currently testing a dusk to dawn voluntary closure.

A grant related to a wildlife social campaign will be forthcoming.

There are some new opportunities for Eagle Ranch Housing Corp funding.

Council Member Sarah Parrish stated that MEAC was thoughtful with their time and effort on the event budget request to Council.

The Downtown Development Authority is disappointed in the budget amount for 2023, however, they have some options and it will take a mind shift until funding streams improve for them.

Council Member Geoff Grimmer was pleased with the Sylvan Lake Road Work Session and options for pedestrian and traffic calming.

Has attended NWCCOG meetings and was given a report regarding the region that he will share with the Council.

Will also get a better link to CC4CA for us to join and also volunteered to be on the CC4CA.

Council Member Nick Sunday stated the Economic Vitality Committee is excited about the Economic Planning study the council approved tonight.

Council Member Ellen Bodenheimer inquired if the Block Party would be put on an upcoming agenda. Mayor Scott Turnipseed stated he would rather have Molly and Ted meet with the DBA and the others to see if they can work it out. If they cannot we can bring it back.

Mayor Scott Turnipseed stated he attended the staff holiday party and enjoyed it. Also sent an email today to everyone thanking them for their hard work and looking forward to 2023.

ADJOURN - 8:00 PM

MOTION: Councilmember Mikel 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

