



MEETING MINUTES
Town Council
Tuesday, May 23, 2023
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 Teams.

CALL TO ORDER - 6:00 PM

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

OATH OF OFFICE

1. Jamie Woodworth Foral was given her Oath, which she read into the record.

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenheimier,
Geoffrey Grimmer, Sarah Parrish, Nick Sunday, Jamie
Woodworth Foral

COUNCILMEMBERS ABSENT

STAFF PRESENT

Melissa Daruna, Assistant 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
Peyton Heitzman, Planner
Jessica Lake, Planner
Kevin Aoki, Information Technology Manager
Nikki Davis, Economic Development & Housing Specialist
Molly Furtado, Special Events Manager
Stephen Wilson, Utility Manager
Jackie VanEyll, Permit Technician

ADOPTION OF AGENDA

There were no changes to the agenda.

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

PUBLIC COMMENT

Jennifer Collins Vail Honeywagon provided a clean up day recap for the council.

John Bailey 006 Blue Grouse – requested updated signage for cycling tourists and residents.

PRESENTATIONS

1. Net Zero Action Plan, Kristen Hartel
2. Climate Action Collaborative - Eagle County Electric Vehicle Infrastructure Plan, Gina McCrackin
3. Proclamation - National Police Week 2023
Mayor Scott Turnipseed read the Proclamation into the record.

CONSENT AGENDA

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

1. Minutes - May 9, 2023
2. Resolution 30, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing Release of Funds in Escrow Due to the Completion of Public Improvements"
3. Resolution 31, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Members to the Downtown Development Authority Board of Directors"
4. Resolution 32, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Professional Services Agreement with RRC Associates to Create an Economic Dashboard"
5. Resolution 34, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Construction Contract with 360 Paving, LLC for 2023 Street Resurfacing Project"

STAFF REPORTS

1. Town Manager Update
Melissa Daruna stated the town has officially hired the communication and marketing position. Carly West starts June 5th.

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: Wild Sage Eagle LLC dba Wild Sage - Request for Transfer of Hotel & Restaurant Liquor License at 1143 Capitol Street 104A&B

Casey Glowacki applicant was present for this item.

Mayor Scott Turnipseed opened public comment. There were no comments.

MOTION: Mayor Scott Turnipseed motioned to approve the Findings and Order approving a Transfer of Ownership of a Hotel & Restaurant License for Wild Sage Eagle LLC - located at 1143 Capitol Street 104A&B 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, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

BUSINESS ITEMS

1. PUBLIC HEARING: SS23-01 North Broadway Sketch Review

Mayor Scott Turnipseed opened the public hearing and stated there will be no formal vote tonight.

Cliff Simonton, Town Planner presented this item on behalf of the planning department.

Bryan Tobin was present as the applicant and provided a presentation.

Matt Mire outlined for the council the process for this review of the sketch plan and that it allows some comments that will generally share the town's vision. This is not a quasi-judicial hearing at this point and requested the council keep it high level.

Mayor Scott Turnipseed opened public comment:

Greg Jennings 542 Golden Eagle. Stated he liked the connection with the Eagle River Park and expressed concern with the total homes and size of the buildings.

Council comments: overall the council agreed with most of the Planning Commission's comments. Discussion on connection with Broadway and access point options. The location of the bridge was also discussed. The applicant indicated the final placement will be reviewed and engineering will have to determine the best location. Commercial space was discussed, and the preference was that it remain flexible. Parking, deed restrictions, and pricing were also discussed. The goal for costs will depend on support for buydowns with the goal of 140% AMI affordability.

2. Resolution 37, Series 2023 "A Resolution of the Town Council of The Town of Eagle, Colorado Approving the Engineering Scope of Services and Fee Proposal from Mott Macdonald for Wastewater Treatment Plant Improvements Design – Phase 1"

Stephen Wilson Utility Manager presented this item.

Council comments: discussion on requirements and impacts on small providers like the Town. Staff provided information on how staff determines when to pursue improvements and use larger entities as guides for best practices. Staff is currently needs to evaluate the feasibility and constructability of the improvements. Staff indicated the Town should be able to bear the costs of this redesign and improvements with current funds, loans, or possibly bonding. Rates will also be evaluated. The construction timeline begins in the summer of 2024.

MOTION: Council Member Ellen Bodenheimier motioned to approve Resolution 37, Series 2023 "A Resolution of the Town Council of The Town of Eagle, Colorado Approving the Engineering Scope of Services and Fee Proposal from Mott Macdonald for Wastewater Treatment Plant Improvements Design – Phase 1". The motion

was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

3. Residential Broadband Service and Fee Schedule Amendment

Kevin Aoki presented this item.

Council comments: discussion on current coverage in town, staff indicated about 90% of the town has excellent coverage. Jill Kane stated the town is confirming with counsel on the best way to set up the utility fund for broadband. Confirmation on partnership with Aspen Wireless for management of this rollout. Council requested that staff market and communicate this to the public.

Mayor Scott Turnipseed opened public comment.

Greg Schroeder 241 Broadway. Stated he has had town broadband service since last July with great reliability and success with Aspen Wireless providing great support.

- a. Resolution 35, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending the 2023 Fee Schedule Pursuant to Section 2.34 of the Eagle Municipal Code to Include Residential Internet Service Under Broadband Fees"

MOTION: Council Member Mikel Kerst motioned to approve Resolution 35, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending the 2023 Fee Schedule Pursuant to Section 2.34 of the Eagle Municipal Code to Include Residential Internet Service Under Broadband Fees". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

- b. Resolution 36, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving Delivery of Wireless Residential Broadband"

MOTION: Council Member Sarah Parrish motioned to approve Resolution 36, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving Delivery of Wireless Residential Broadband". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

4. ReCode Eagle Update: Design Standards and Local Employee Residency Program (LERP)

Elizabeth Garvin is attending remotely and presented this item along with Planning Commission comments.

Council comments: discussion on local and affordable units, with local units being deed restricted to locals at market rate and affordable would have pricing adjustments. Discussion on when to require LERP, some consensus at 10 units of proposed units when the deed restriction kicks in with a cascading residential occupancy for units. The initial discussion was made for 15% LERP and 35% Resident Occupied.

Mayor Scott Turnipseed opened public comment.

Rick Beveridge- 1511 Polar Star Drive. Provided opinion that there are very few projects of 10 or less. Increasing density will allow for profit and more housing. When these reports were created, Eagle County was not

participating in affordable housing. Now Eagle County can provide the deed restriction and is purchasing units to make them affordable.

Greg Jennings 542 Golden Eagle. Asked the council to review local salaries and match affordability to that.

Council comments: further discussion requirements for developments of 10 or more units with the proposal being 35% Resident Occupied Deed Restricted with a qualification waterfall and 15% Local Employee Residency Program at or under 140% AMI and rentals at 80% AMI.

Further discussion on small developers and keeping them in town and not making the LERP a deterrent on redevelopment. Discussion on credits available for those that do not get grants or funding and setting a floor for the credit. Tracking credits will take some thought.

Parking reductions would be limited to downtown. The DDA's goal is to build parking with their funding.

Building height was discussed with no changes proposed.

The council will discuss short-term rentals later.

Modifications to presentation in red:

Affordable and Local Employee Resident Units Required				
Number of Units Proposed	Number of RO Units Required (Market-rate, deed restricted, qualification waterfall)	Number Affordable Units Required (LERP at or under 140% AMI and rental at 80% AMI)	Affordable Units Added or Included?	Total RO + LERP Units [1]
0-4 units	0 units	0 units	n/a	0 units
5-7 units	1 unit	1 unit	Included	1 unit
8-19 units	20% of total units	20% of total units	Added	40% of units
For-sale: 10 or more units	35%	15%	Added	50%
Rental: 10 or more units	35%	20%	Added	55%
20+ units	30% of total units	20% of total units	Added	50% of units

[1] If the final calculation of the number of required units includes a fractional unit, if the fraction is 0.5 or higher, the number of units is rounded up to the nearest whole number, and if the fraction is below 0.5 the number of units is rounded down to the nearest whole number.

Applicability: Provide at least 60% of the total units in the development as RO and affordable housing to qualify for:

Potential Adjustments:

- i. Minimum lot setbacks or lot widths may be adjusted by up to 20 percent, not applicable to riparian setbacks.
- ii. Maximum lot coverage may be increased by up to 20 percent.
- iii. Minimum lot size may be reduced by 20 percent.
- iv. Maximum height may be increased from 30' to 40' in residential zoning. Height increased by 1 story not to exceed 15' when facing Broadway or CMU2. Make sure 3 and 4 story stepback applies along Broadway
- v. ~~Required off-street parking spaces may be reduced to 1.5 spaces per dwelling unit. Limit this to Downtown?~~ Look at current B'way residential adjustment
- vi. If public park/open space are within 1,320' of development site, reduce dedication or fee in-lieu by 50%.
- vii. Optional: An additional unit per affordable unit may be added to a residential structure. For example, a project with 5 townhomes, including 1 affordable unit, will be allowed one additional market-rate unit, not to exceed comprehensive plan maximum density.

5. PUBLIC HEARING: Resolution 29, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Providing for a Supplemental Appropriation of Funds to the Various Funds and Spending Agencies, in the Amounts and For the Purposes as Set Forth Below for the 2023 Budget Year"

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

MOTION: Council Member Ellen Bodenhemier motioned to approve Resolution 29, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Providing for a Supplemental Appropriation of Funds to the Various Funds and Spending Agencies, in the Amounts and For the Purposes as Set Forth Below for the 2023 Budget Year". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items
Sarah Parrish brought up e-bikes and staff stated the town needs to update our traffic code to address this more thoroughly.
2. Council Committee Updates
Ellen Bodenhemier stated she received positive feedback about the river park wave feature.

ADJOURN - 10:30 PM

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

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

