



MEETING MINUTES
Town Council
Tuesday, October 8, 2024
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 *This was an in-person meeting using Teams.*

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCIL MEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier,
Geoffrey Grimmer (*remote*), Nick Sunday, Jamie
Woodworth Foral, Bryan Woods

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Ruthanne H. Goff, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Carrie Buhlman, Police Chief
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Jessica Lake, Senior Planner
Sydney Dynek, Planner
Jamie Wilson, Communications & Marketing Specialist
Kira Koppel, Sustainability Specialist
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Nick Sunday motioned to adopt the agenda as presented. The motion was seconded and Passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

PUBLIC COMMENT

Mayor Turnipseed opened public comment, there was no public comment.

PRESENTATIONS

1. Eagle Valley Community Foundation, Grace Anshutz
Grace Anschutz presented this item.

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, Bodenheimier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

1. Minutes - September 24, 2024
2. Bill Pay - September 2024
3. Resolution 69, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a lot line adjustment for 263 Sawatch Rd. and 700 Chambers Ave, Application No, LLA23-02"
4. Resolution 72, 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Memorandum of Understanding with the Adam Palmer Sustainability Fund"

STAFF REPORTS

1. Town Manager Update
Town Manager Larry Pardee addressed the business vacancy rate of downtown businesses and code enforcement.
2. Department Update

BUSINESS ITEMS

1. Sixth Amendment to the Haymeadow Annexation and Development Agreement

Resolution 65, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Sixth Amendment to the Annexation and Development Agreement for the Haymeadow Property"

MOTION: Council Member Bryan Woods motioned to approve Resolution 65, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Sixth Amendment to the Annexation and Development Agreement for the Haymeadow Property". The motion was seconded and Passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.
2. PUBLIC HEARING: Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit
Mayor Turnipseed opened the Public Hearing for Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit.

Council Member Woodworth Foral recused herself from this item due to conflict of interest living in West Eagle neighborhood.

Town Staff and the Eagle County team presented the West Eagle Housing project, detailing the rezoning, subdivision, major development permit, and annexation applications. Highlights of the presentation included: Project Overview: Peyton presented the West Eagle Housing project, which includes 113 workforce housing units, rezoning, subdivision, and annexation applications; Project Goals: The project aims to provide affordable housing, ensure connectivity, promote sustainability, and conform to the town's plans; Site Design: The site design includes connected open spaces, parking around the edges, and a mix of duplexes, triplexes, and multi-family units; Sustainability: The project is designed to be all-electric and net-zero ready, with energy-efficient building envelopes and potential for solar panels; Traffic Impact: Greg Schoeder discussed the traffic impact study, noting that the project would generate 682 vehicle trips per day, with minimal impact on Grand Avenue.

Council comments: discussion regarding LERP selection criteria and price cap relation to AMI totals. More detail to be presented at the next meeting. Discussion regarding Forest Service parcel access to 7th Street and public access easements within the property.

Mayor Turnipseed opened this item for public comment:

Cindy Callicrate Talley - 770 Castle Drive – expressed concern regarding traffic impacts, access to the project from Castle Drive, building height effect on solar, overall project value to the neighborhood.

Dan Emerich - 740 Castle Drive – expressed concern with density and impact on existing neighborhood.

George Forman – expressed concern regarding the project before addressing Highway Six and snow storage.

Debbie Comerford 107 Oxbow Ct – expressed concern regarding parking being used for storage and need for a dog park.

Tom Olden - 646 Grand Avenue – expressed concern regarding meeting notification, traffic congestion, government building and developing housing, survey results wanting infrastructure before housing, lack of parking for families and guests.

Dave S. - 530 West 5th street – expressed concern about parking, lack of improvements on Grand Avenue, lack of sidewalks and overall pedestrian safety.

Devon Duvall - 731 Bull Run – expressed concern regarding lack of infrastructure to support development, sacrificing quality of life for housing, need for more public engagement, density and height issues, traffic congestion, amount of housing currently approved and not yet built, requested the town to slow down on approvals until infrastructure is ready.

Jennifer Duvall - 713 Bull Run – expressed concern regarding meeting notification, privacy for current residents, noise, density, traffic, lack of infrastructure and Colorado “Right to Sunlight” as issues.

Celena Olden - 1864 Eagle Ranch Road – expressed concern regarding taxpayers paying for infrastructure and housing, cost of building is prohibitive to affordable, lack of public input on development, who will be allowed to purchase the units (government or private employees), impacts on current resident water costs, energy demand for all electric, who pays for subsidizing price capped units and private street maintenance.

Mick Daly 1843 East Haystack Drive – expressed support on behalf of several organizations that support Eagle vitality, need for work force housing and for housing families of current residents.

Mayor Turnipseed closed public comment.

Council comments: further discussion on Castle Drive access, Brush Creek Road extension impacts, building height

measurement, lack of closets shown in drawings for bedrooms, "Right to Sunlight" solar analysis to be reviewed, parking, dog park, traffic impacts, NetZero impacts up front will pay off later and value of access to 7th Street.

MOTION: Council Member Scott Turnipseed motioned to continue the PUBLIC HEARING for Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit until October 22nd. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods), 1 abstain (Woodworth Foral) and 0 opposed.

- a. Resolution 70, Series 2024, "A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)"
Continued
- b. Ordinance 10, Series 2024, An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Residential Multi-Family (West Eagle Housing Annexation) to October 22, 2024.
Continued
3. PUBLIC HEARING: Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents".

Mayor Turnipseed opened public hearing for Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents".

Mayor Turnipseed opened public comment, there was no public comment.

Council comments: discussion and confirmation regarding lease purchase and property release timeline.

MOTION: Council Member Nick Sunday motioned to approve Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

4. PUBLIC HEARING: Land Use File: LUDC24-02 Text Amendment to the Land Use and Development Code
Mayor Turnipseed opened PUBLIC HEARING: Land Use File: LUDC24-02 Text Amendment to the Land Use and Development Code.

Sydney Dynek, Planner presented six proposed amendments to the land use code, addressing issues such as alleyway use, employee dwelling units, RV screening, riparian setbacks, special use permits, and the definition of family. Highlight of issues: Alleyway Use: The proposed amendment restricts the use of alleyways for primary access to parking unless approved by the Public Works Director; Employee Dwelling Units: The amendment clarifies the definition, allows units in industrial zones via special use permit, and includes deed restrictions; RV Screening: The amendment removes the requirement for RV screening and specifies that front yard parking must be in designated spots; Riparian Setbacks: The amendment reduces the setback from 75 feet to 50 feet if no adverse environmental impacts are shown, and clarifies the definition of natural waterways; Special Use Permits: The amendment clarifies that only one special use permit is allowed per property; Definition of Family: The amendment updates the definition of family to comply with state legislation prohibiting occupancy restrictions

based on familial ties.

Council comments: discussed the proposed changes to employee dwelling units, including the number allowed per lot, deed restrictions, and the review process, and decided to revisit this topic in a future work session. The Council discussed the limitation of one employee dwelling unit per lot and considered allowing more based on lot size or building size. The Council debated the necessity of deed restrictions tying occupancy to full-time employees and the challenges of enforcement. The Council considered whether the special use permit process was necessary or if administrative review by staff would suffice. The Council would like to revisit the topic in a future work session to explore options and gather more input. The Council wished to approve the proposed amendments to the land use code, with the exception of the employee dwelling units, which will be revisited.

Mayor Turnipseed opened public comment.

Tom Braun – expressed urgency regarding stream/riparian setbacks on pending projects.

Council comments: The Council acknowledged the confusion surrounding the current language of the setback regulation. They agreed that the language should be clarified to ensure it is easily understandable, particularly the relationship between the 75 feet setback and the 100-year floodplain.

- a. Ordinance 8, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Eagle Municipal Code Regarding Occupancy Restrictions, Special Use Permits, Parking Location and Design, Riparian Setbacks, Recreational Vehicles, and Employee Residential Units"

MOTION: Council Member Sunday motioned to approve an Ordinance 8, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Eagle Municipal Code Regarding Occupancy Restrictions, Special Use Permits, Parking Location and Design, Riparian Setbacks, Recreational Vehicles, and Employee Residential Units" with amendments as discussed and approved by the Town Attorney. The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

5. PUBLIC HEARING: 2024 & 2025 Budget Presentation

Mayor Scott Turnipseed opened the public hearing for the 2024-2025 Budget Presentation.

Jill Kane presented this item.

Council comments: discussion on grant opportunities, sales tax capital improvement fund and getting a fund balance policy in place for future budgets.

Mayor Turnipseed opened public comment.

Kate Sheldon - 2806 Haystack Drive, thanked the council for keeping the ranger in the budget and for their support of investment in open space.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Council Member Grimmer – noted that in the Eagle County Strategic Plan they included the completion of the I70 interchange in Gypsum.

Council Member Kerst updated the council that Kevin Brubeck lost his wife, would like to see the town do something for this family. The service is October 19th at 10: a.m.

EXECUTIVE SESSION – 9:45 PM

1. **MOTION:** Council Member Scott Turnipseed motioned to enter into an executive session to receive legal advice from the Town attorney and special counsel pursuant to CRS 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators pursuant CRS 24-6-402(4)(e) regarding the West Eagle Annexation and further, move to adjourn the regular meeting at its conclusion. The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

ADJOURN - 10:10 PM

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

