



MEETING MINUTES
Town Council
Tuesday, April 28, 2020
ON-LINE MEETING

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

MEETING INSTRUCTIONS

1. All participants registered in advance for this meeting:
<https://us02web.zoom.us/join/zoom-join-link>

CALL TO ORDER

Mayor McKibbin called the meeting to order at 6:05 p.m.

ROLL CALL - 6:05 PM

COUNCIL MEMBERS PRESENT

Anne McKibbin, Kevin Brubeck, Matt Solomon, Andy
Jessen, Mikel, Kerst, Scott Turnipseed, Paul Witt, Ellen
Bodenhemier, Adam Palmer (6:25 p.m.)

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Bryon McGinnis, Public Works Director
Joey Staufer, Police Chief
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

CONSENT AGENDA

MOTION: Council Member Matt Solomon motioned to Approve the Consent Agenda. The Motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Brubeck, Kerst, McKibbin, Turnipseed, and Witt) and 0 opposed.

1. Minutes - April 14, 2020
2. Acceptance of Resignation of Trustee Turnipseed
3. Resolution No. 23, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing

Release of Funds in Escrow due to Completion of Public Improvements (Haymeadow)"

4. Resolution No. 24, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Temporary Removal of the Yard Waste Fee"
5. Resolution 25, Series 2020 "A Resolution Of The Town Council Members Of The Town Of Eagle, Colorado Extending The Declared Local Disaster Emergency"

NEW COUNCIL IS SEATED

1. Oaths of Office for new Council Members & Mayor

Town Clerk Jenny Rakow received the Oaths of Office for Scott Turnipseed, Ellen Bodenhemier, and W Mikel "Pappy" Kerst for the record. The Oaths will be filed with the Eagle County Clerk and Recorder and kept on file in Town records. *Council Member Adam Palmer read his Oath of Office into the record at 6.25 p.m.*

Anne McKibbin, Kevin Brubeck, and Paul Witt thanked all members and staff and left the meeting as members.

PUBLIC COMMENT

Mayor Turnipseed opened public comment.

Charlie Gundlach: stated that he sent a letter seeking the open Town Council position and expressed his interest in the appointment. Mayor Turnipseed provided that the vacancy policy will be discussed later in this meeting.

PRESENTATIONS

1. Resolution No. 20, Series 2020, "A Resolution Expressing the Appreciation of the Eagle Town Council for the Services of Anne McKibbin, Paul Witt, and Kevin Brubeck as Mayor, Mayor Pro Tem and Council Member of the Town Of Eagle"

Mayor Turnipseed opened this item and thanked outgoing members.

MOTION: Council Member Andy Jessen motioned to Approve Resolution No. 20, Series 2020, "A Resolution Expressing the Appreciation of the Eagle Town Council for the Services of Anne McKibbin, Paul Witt and Kevin Brubeck as Mayor, Mayor Pro Tem and Council Member of the Town Of Eagle". The Motion was seconded and passed with a vote of 5 in favor (Solomon, Jessen, Kerst, Bodenhemier, and Turnipseed) and 0 opposed.

TOWN OF EAGLE RESOLUTION NO. 20 SERIES OF 2020 A RESOLUTION EXPRESSING THE APPRECIATION OF THE EAGLE TOWN COUNCIL FOR THE SERVICES OF ANNE MCKIBBIN, PAUL WITT AND KEVIN BRUBECK AS MAYOR, MAYOR PRO TEM AND TRUSTEE OF THE TOWN OF EAGLE

WHEREAS, Anne McKibbin was elected as Trustee in 2012 and elected as Mayor in 2016 serving through April 2020; and

WHEREAS, Kevin Brubeck was appointed as Trustee in 2014 and again in 2016 serving as Mayor Pro Tem until April 2020; and

WHEREAS, Paul Witt was elected as Trustee in 2002 and again in 2016 serving through April 2020; and

WHEREAS, Anne McKibbin, Kevin Brubeck and Paul Witt have served as Mayor, Mayor Pro Tem and Trustee with diligence and loyalty and have made significant and lasting contributions to the Town in that capacity; and

WHEREAS, Anne McKibbin, Kevin Brubeck and Paul Witt will all be missed by this Board and the residents of the Town of Eagle in their capacity as board members;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Eagle, Colorado, as follows:

1. The sincere thanks from the Town Council and residents of the Town of Eagle are extended to Anne McKibbin, Kevin Brubeck and Paul Witt for their service to the Town.
2. Anne McKibbin, Kevin Brubeck and Paul Witt are wished the very best of success and happiness in their future endeavors.
3. This Resolution shall be included in full in the minutes of this meeting, and a certified copy thereof shall be delivered to said Anne McKibbin, Kevin Brubeck and Paul Witt.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado on the 28th day of April 2020.

STAFF REPORTS

1. Town Manager Update

BUSINESS ITEMS

1. Resolution 16, Series 2020, "A Resolution Of The Town Council Of The Town Of Eagle, Colorado, Appointing A Town Manager, Town Attorney And Municipal Court Judge" (*Oaths of Office to follow*)
Mayor Turnipseed opened this item.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 16, Series 2020, "A Resolution Of The Town Council Of The Town Of Eagle, Colorado, Appointing A Town Manager, Town Attorney, And Municipal Court Judge. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Palmer) and 0 opposed.

Town Clerk Jenny Rakow received the Oaths of Office for Town Manager Brandy Reitter and Municipal Court Judge Erik Johnson.

2. Application for Retail Marijuana Store License, Tumbleweed Eagle LLC
Mayor Turnipseed opened this item.

Town Clerk Jenny Rakow noted that applicant Mark Smith was in attendance if there were questions for the applicant.

There were no Council comments.

MOTION: Council Member Matt Solomon motioned to Approve the Notice of Findings and Order Approving Retail Marijuana Store License for Tumbleweed Eagle LLC located at 12 Eagle Park East and direct the Mayor to sign. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

3. Resolution No. 21, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Establishing a Process for the Town Council Selection and Appointment of Councilmembers to Fill a Vacancy Due to the Resignation of a Councilmember"

Mayor Turnipseed opened this item.

Council Comments: This policy will be added to the Council binder. The deadline for applicants was set for May 6, 2020, at 5:00 p.m.

MOTION: Council Member Mikel Kerst motioned to Approve Resolution No. 21, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Establishing a Process for the Town Council Selection and Appointment of Councilmembers to Fill a Vacancy Due to the Resignation of a Councilmember". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

4. Resolution No. 22, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Suspending Compensation Paid to the Town Council Until August 1, 2020"

Mayor Turnipseed opened this item.

Town Attorney Matt Mire stated there was a miscommunication on the necessity of this Resolution. Council Members cannot forego their pay, the compensation will need to be processed. Each Member will need to contact Jill Kane if they desire for the Town to keep their net pay. Compensation will be taxed and can be donated and considered a charitable contribution.

5. Ordinance 08, Series 2020 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Eagle Municipal Code to Replace all References to "Board Of Trustees" with "Town Council"

Mayor Turnipseed opened this item.

MOTION: Council Member Matt Solomon motioned to Approve Ordinance 08, Series 2020 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Eagle Municipal Code to Replace all References to "Board Of Trustees" with "Town Council". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

6. Ordinance 11, Series 2020 "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado, Establishing The Method Of Official Publication For All Ordinances Of The Town Council"

Mayor Turnipseed opened this item.

MOTION: Council Member Mikel Kerst motioned to Approve Ordinance 11, Series 2020 "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado, Establishing The Method Of Official Publication For All Ordinances Of The Town Council". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

MOTION: Council Member Matt Solomon motioned to appoint Andy Jessen as Mayor Pro Tem. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

MOTION: Mayor Scott Turnipseed motioned to appoint Matt Solomon backup Pro Tem. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

Council Member Solomon stated he is working on the ethics policy required by the Charter. Requested another member to assist with completing the Council policy book. Council Member Jessen volunteered.

Council Member Solomon requested for items provided to the Council, all changes not made by the Council to be highlighted and noted who made the changes and why.

Council Members Bodenhemier and Palmer were both welcomed to the Council.

1. Town of Eagle CARES Act Letter of Support
Brandy Reitter presented this item.

Council Comments: Brandy will set up a time to come in and sign.

MOTION: Council Member Matt Solomon motioned to Approve the CARES Act Letter of Support. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

2. 2020 Budget COVID-19 Financial Impacts Presentation

Mayor Turnipseed opened this item. This will be a dedicated worksession after the last Council Member is appointed. Meeting will be held mid-May and date determined by a poll.

Council Comments: Requested that Jill Kane provide the list of options and scenarios on one page. Discussion on methodology for revenue projections.

EXECUTIVE SESSION 7:15 PM

1. To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Red Mountain Ranch Annexation Agreement and the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

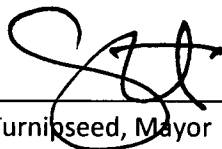
MOTION: Mayor Scott Turnipseed motioned to adjourn into Executive Session To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Red Mountain Ranch Annexation Agreement and the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e) and adjourn the regular meeting at the conclusion. Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier and Palmer) and 0 opposed.

MOTION: Mayor Scott Turnipseed motioned to adjourn the Executive Session. Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier and Palmer) and 0 opposed.

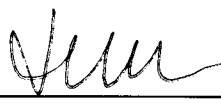
ADJOURN - 7:45 PM

Approved:

Date:



Scott Turnipseed, Mayor



Jenny Rakow, CMC Town Clerk

