



MEETING MINUTES
Town Council
Tuesday, June 9, 2020
ON-LINE MEETING

This agenda and the meetings can be viewed at www.Townofeagle.org.

MEETING ACCESS

1. [REGISTER FOR THE MEETING HERE](#)

CALL TO ORDER

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

ROLL CALL - 6:05 PM

COUNCIL MEMBERS PRESENT

Matt Solomon, Andy Jessen, Mikel Kerst, Scott
Turnipseed, Ellen Bodenhemier, Adam Palmer, David
Gaboury

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 Stauffer, Police Chief
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the amended agenda.

MOTION: Council Member Mikel Kerst motioned to approve the Amended Agenda as presented. The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.

PUBLIC COMMENT

Mayor Turnipseed acknowledged the difficult weekend in Eagle and wanted the Castro family to know we care about them. He thanked all volunteers who helped with the search and stated he is proud to live in this community. Mayor Turnipseed also thanked the organizers Megan Peyton and Rachel Delong of the family walk for solidarity for reaching out to the Town regarding plans for the peaceful event.

PRESENTATIONS

1. Knapp Ranch, Tom Cartwright

Tom Cartwright provided an overview of their operations and the new location on Sylvan Lake Road. The Council thanked Tom for his commitment to Eagle and welcomed him to the community.

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, Kerst, Turnipseed, Bodenheimier, Palmer, and Gaboury) and 0 opposed.

1. Minutes - May 26, 2020
2. Bill Pay - May 2020

STAFF REPORTS

1. Town Manager Update
Brandy Reitter stated Jenny will be sending out a poll for September budget work sessions, there will be two sessions, one for capital and one for operating.
2. Department Update
Council Comments: Discussion on sales tax revenue and the difference between revenue period and filing period. Request to update budget numbers using most current tax receipts.
3. Lower Basin Water Treatment Plant Project Report
Bryon McGinnis provided that both SGM and MWH will be at the next Council meeting with a project update.

Council Comments: Request for Project Report to include a financial estimate to complete the project.

BUSINESS ITEMS

1. Ordinance 13, Series 2020, "Amending Section 4.04.070 of the Eagle Municipal Code to allow Residential Dwelling Units Above Street Level as a Special Use in the Commercial General Zone District"
Mayor Turnipseed opened this item.

Chad Phillips presented the staff report and Ordinance.

Council Comments: Request for an administrative process for review and approval on these applications in the updated code rewrite.

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

MOTION: Council Member Matt Solomon motioned to Approve Ordinance 13, Series 2020, "Amending Section 4.04.070 of the Eagle Municipal Code to allow Residential Dwelling Units Above Street Level as a Special Use in the Commercial General Zone District". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, Palmer, and Gaboury) and 0 opposed.
2. Mobile Vendor Policy Proposal
Bill Shrum reviewed his staff report.
Council Comments: Request for more information and input from vendors. Reasonable consideration for brick and mortar operations and competition. Intention to find locations within the town that will work to designate as

zones for these uses. Council supported the direction staff was going and would like consistent locations.

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

Bill Shrum stated he will create a draft policy for review after reaching out to all vendors to include them in the process with the intent to make it easier to operate within the Town.

3. Open Space Advisory Committee

Brandy Reitter reviewed her memo.

Council Comments: Discussion on including parks and recreation items within this group with the intent to recommend funding priorities and develop a policy on doing so. Expressed interest in including one Council Member and Ellen Bodenhemier was selected. Ideas and discussion were to formalize the group and have meetings quarterly, to include outside agencies that deal with open space and have an application process for citizens to be selected. Request to ensure those outside agencies have a desire to participate, allow the committee to set policies or goals to maintain focus for the group. Staff was asked to return with recommendations on the size of the group and start-up goals.

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

4. Short Term Rental Registration Application, Self-Compliance Affidavit, and Good Neighbor Guidelines

Jenny Rakow presented this item.

Council Comments: Request to make compliance affidavit clearer on initialing all statements was required. With this change, this item was not requested to be presented to Council for final approval.

5. 2020 COVID-19 Budget Work Session Follow Up

Jill Kane presented this item.

Council Comments: Request to include updates to revenues for the next review. Clarification on sales tax revenue and the portion dedicated to River Park Ballot fund. Request for tobacco tax revenue projections July through end of year. Discussion on Home Rule status and opting out of Gallagher, Town attorney provided that Gallagher relates to property tax. Matt Mire will provide the Council with a memo outlining those taxing structures. Discussion on the movement of items within the general fund to capital fund, i.e. Highway 6 Study, community development vehicle. Additional clarification Highway 6 devolution funds are located in the capital budget and will be used for the paving project with the Black Hills pipeline project. Council intent is to focus on what can be accomplished the remainder of 2020 using the latest revenue and budget information.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. November Election Items

Council Comments: Discussion on Use Tax alignment with sales tax and benefits and concerns for staff and builders. Additional concerns regarding the difficulties and fairness issues regarding the Use Tax structure and alternatives that can be used rationalize a flat fee instead of the current system. A study was discussed, which could take 2-3 months and was not budgeted.

Lodging tax discussion to have a percentage-based tax instead of a flat fee. Request to staff to provide

information on other hotel lodging tax percentages for consideration.

Downtown Development Authority formation and ballot question discussion will be presented at the June 23, Town Council meeting. General support for formation. Concern that it would not generate much revenue. Further discussion that it would build momentum and would support smaller projects and events to benefit the district.

2. Council Committee Updates

3. In-Person Council Meetings

Brandy Reitter requested feedback on in-person council meetings. Matt Mire gave an overview of Town of Vail's in-person meeting last week using Zoom, plexiglass dividers, and public attendance. Concern that Town business may be getting postponed due to not being able to meet in person. Discussion on IT enhancements to the Council meeting room to facilitate better online meetings with the public. Brandy will provide the quote on unbudgeted enhancements that could take 2-3 months to implement. The Council confirmed holding the next June meeting on Zoom and revisit in-person and logistics for in-person for July at that meeting.

Solomon – request for the status of mountain bike and kayak races in Eagle. Recommended reading Raving Fans book before the strategic planning Council retreat.

Gaboury – request for more information on current Broadband status and updates. Brandy will provide a memo.

Palmer – request for consideration of micro-hydro on PRV valves running on Brush Creek to the Upper Basin Water Treatment Plant. Staff will put together an exploratory memo on this idea.

Turnipseed – thanked staff for newly installed speed limit signs and department updates in the packet.

EXECUTIVE SESSION – 8:40 PM

To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the IGA with Mountain Recreation and the Eagle

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

Mayor Turnipseed amended the motion to clarify the discussion would include the 1995 IGA dealing with the construction and use of the gymnasium. The amended motion seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.

ADJOURN - 9:30 PM

MOTION: Council Member Matt Solomon motioned to Adjourn. The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

