



MEETING MINUTES
Town Council
Tuesday, July 14, 2020
ON-LINE MEETING

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MEETING ACCESS

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CALL TO ORDER

Mayor Turnipseed called the meeting to order at 6:04 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Matt Solomon

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.

MOTION: Council Member David Gaboury motioned to adopt the amended agenda as published. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Palmer, Gaboury, and Jessen) and 0 opposed.

PUBLIC COMMENT

CONSENT AGENDA

Council Comments: Inquiry on NWCCOG payment for six months of meet me center contract.

MOTION: Council Member Andy Jessen motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 5 in favor (Turnipseed, Bodenhemier, Palmer, Gaboury, and Jessen), 1 abstain (Kerst from Minutes) and 0 opposed.

1. Minutes - June 23, 2020

2. Bill Pay - June 2020
3. 2019 Audit Extension Letter
4. Resolution 39-2020 "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"

STAFF REPORTS

1. Town Manager Update

Brandy Reitter provided her update. Bond counsel did confirm we can get reimbursed from bond proceeds for general fund expenses. Mayor Turnipseed discussed appointing a liaison from the Council for the Highway 6 study and requested Council Member Jessen be that appointee. Jessen accepted and Palmer agreed to be backup. Brandy noted the first task will be to review RFP's on July 20th.

Council Member Gaboury asked about a work session with P&Z on Elevate Eagle, budget, and THOR. Brandy suggested establishing a standing work session each month to enable better scheduling for these items.

2. Department Update for June 2020

Council Comments: Discussion on THOR and service level agreement model for a dedicated amount of service for a set contract price guarantee for speed and uptime. Staff will be bringing new recommendations for joint trenching with a consultant review of costs. Discussion on the process for appointment of planning commissioners. Staff will post the vacancies and schedule interviews on the upcoming agenda. Outstanding municipal court fees were discussed as it relates to amounts in collections. Staff will review those amounts and determine if a write off is appropriate for a portion of older debts.

3. Lower Basin Water Treatment Plant

Bryon McGinnis offered tours of the new water treatment plan. Staff will meet with MWH and SGM on schedule and costs.

BUSINESS ITEMS

1. QUASI JUDICIAL HEARING AND PUBLIC HEARING: Land Use File Number SU20-01 - 263 & 483 Sawatch Special Use Permit (SUP)

Mayor Turnipseed opened Land Use File Number SU20-01 - 263 & 483 Sawatch Special Use Permit.

Jessica Lake provided the staff presentation.

Council Comments: inquiry on differences between current and previous applications. Staff provided the previous approval was for two buildings with all 20 residential divided onto each lot, and the project had underground parking. In this current request, the applicant has requested 19 units spread out in several buildings and there is no underground parking.

Jeff Manley presented for the applicant. The applicant is specifically requesting to review the impervious coverage percentages and how they are calculated.

Applicant Dave Dantas also presented ideas for the detention pond redesign as a community project with the Town.

Council Comments: discussion on uses for the detention pond, which will be addressed during development permit. Inquiry on the timeline for the project, the applicant stated it would be phased and requested four years instead of the current three to obtain a building permit. Confirmation applicant has agreed to not sell the residential or commercial separate from each other, however, they can be leased to third parties. Discussion on parking management, electric vehicle charging rough-in, detention basin reconstruction review by town public works, and homeowner's association establishment.

Mayor Turnipseed opened Land Use File Number SU20-01 for public comment. There was no public comment. Mayor Turnipseed closed public comment.

Applicant Dave Dantas requested a review of his request for the impervious coverage variance which will be part of the development permit. Additional request to have staff expeditiously work on this project to determine the impervious area, due to delays by consultants and town staff since January of this year. Also requested the expiration of the special use permit vesting to be extended one year from three to four.

Chad Phillips offered three more conditions to be included in the Resolution: Dwelling units shall not be sold separately from the associated commercial units; and an improvement plan for the stormwater detention area, as an active recreation area, shall be submitted with the development permit application; and minor modifications to the buildings or site plan may be approved administratively without notice, along with extending the vesting to four years.

- a. Resolution 37, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Special Use Permit for 263 and 483 Sawatch Road"

MOTION: Council Member Adam Palmer motioned to approve Resolution 37, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Special Use Permit for 263 and 483 Sawatch Road" with additional conditions articulated by staff. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Palmer, Gaboury, and Jessen) and 0 opposed.

2. Resolution 38, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving the Franchise Termination Agreement between the Town of Eagle and CenturyTel Broadband Services, Inc."

Mayor Turnipseed opened this item.

MOTION: Council Member Andy Jessen motioned to approve Resolution 38, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving the Franchise Termination Agreement between the Town of Eagle and CenturyTel Broadband Services, Inc.". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Palmer, Gaboury, and Jessen) and 0 opposed.

3. Ordinance 19, Series 2020, "An Ordinance Amending Title 4 of the Eagle Municipal Code to Provide for an Automatic Termination of Certain Land Use Approvals if Conditions of Approval are not Satisfied or Documents are Not Timely Recorded"

Mayor Turnipseed opened this item.

MOTION: Council Member Adam Palmer motioned to approve Ordinance 19, Series 2020, "An Ordinance Amending Title 4 of the Eagle Municipal Code to Provide for an Automatic Termination of Certain Land Use Approvals if Conditions of Approval are not Satisfied or Documents are Not Timely Recorded". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Palmer, Gaboury, and Jessen) and 0 opposed.

4. CARES Act Funding Proposal
Brandy Reitter presented this item.

Council Comments: discussion on what a community grant program would entail disbursing funds. Discussion on the process for selection of non – profits. Staff will solicit interest from local non-profits and update the Council at an upcoming meeting. Determination to utilize 53% of the CARES Act funding to reimburse the Town for expenses and 47% for community funding.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Retreat Follow Up

Brandy stated she would like to continue moving forward on the strategic plan. Council chose to hold a work session without the consultant to take the next step to connect to the strategic plan. Staff will schedule in the next few weeks.

2. Council Committee Updates

Council Member Gaboury – Economic Vitality Commission is moving forward.

Mayor Turnipseed – stated the high school mountain bike championships have been canceled. MEAC will continue to work with Brian Hall and Brandy Reitter on the MEAC budget to create event strategies.

Council Member Palmer – will be attending a new government policy committee on climate action, two members from each jurisdiction were requested, Palmer and Jessen will attend on behalf of the Town of Eagle.

Council Member Jessen received unsolicited compliments on the fence at Johnson property.

3. 2020 Eagle County 4-H Junior Livestock Virtual Auction

Mayor Turnipseed encouraged people to donate to this great cause.

4. Letter of Support for Uniform COVID-19 Testing Strategy

Council approved for Mayor to sign this letter.

EXECUTIVE SESSION

1. Executive Session pursuant to C.R.S. Section 24-6-402(4)(b)(e), to receive legal advice on specific legal questions and to determine positions develop a negotiating strategy and instruct negotiators regarding the following: 1. The Johnson irrigation system, 2. The Town of Eagle Augmentation Station water right; and 3. Use agreements regarding the Eagle River water park and request to adjourn the regular meeting at the conclusion.

MOTION: Council Member Scott Turnipseed motioned to enter into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b)(e), to receive legal advice on specific legal questions and to determine positions develop a negotiating strategy and instruct negotiators regarding the following: 1. The Johnson irrigation system, 2. The Town of Eagle Augmentation Station water right; and 3. Use agreements regarding the Eagle River water park and request to adjourn the regular meeting at the conclusion. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Palmer, Gaboury, and Jessen) and 0 opposed. (8:10 p.m.)

ADJOURN - 8:50 PM

Approved:

Date:

Set *Self*

Scott Turnipseed, Mayor

Jenny

Jenny Rakow, CMC Town Clerk

