



**MEETING MINUTES**  
**Town Council**  
**Tuesday, August 11, 2020**  
**ON-LINE MEETING**

*This agenda and the meetings can be viewed at [www.Townofeagle.org](http://www.Townofeagle.org).  
Times listed are approximate and are subject to change.*

**MEETING ACCESS**

1. [ACCESS THE ON-LINE MEETING HERE](#)

**CALL TO ORDER - 6:00 PM**

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

**ROLL CALL**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Ellen Bodenhemier

**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  
Byron McGinnis, Public Works Director

**ADOPTION OF AGENDA**

There were no changes to the agenda.

**MOTION: Council Member Matt Solomon motioned to approve the agenda. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.**

**PUBLIC COMMENT**

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

**PRESENTATIONS**

1. Eagle Business Presentation - The Assembly, Caleb and Jaimie Mackey  
*This was moved to after the Liquor License Authority hearing.*

**CONSENT AGENDA**

Council Comments: Corrections to minutes for vote on Lodging tax and wording in consent agenda approval.

**MOTION: Council Member Matt Solomon motioned to approve the consent agenda with corrections as noted. The**

**motion was seconded and passed with a vote of 6 in favor and 0 opposed.**

1. Minutes - July 28, 2020
2. Bill Pay - July 2020
3. Resolution 48, Series 2020, "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"
4. Resolution 49, 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 for 700 Chambers Avenue Subdivision"
5. Resolution 51, Series 2020, "A Resolution Approving an Intergovernmental Agreement Between Eagle County and the Town of Eagle for the Coordinated November 3, 2020 General Election"
6. Resolution 52, Series 2020 "A Resolution of Town Council of the Town of Eagle, Colorado, Authorizing Release of Funds in Escrow Due to Completion of Public Improvements (Haymeadow)"

#### **STAFF REPORTS**

Council Comments: request for update on LERP in next manager report.

1. Town Manager Update
2. Department Update

Council Comments: request for review of court balances. Brandy Reitter provided that staff is working on a financial policy to address this.

  - a. Second Quarter Sales Tax Report

Council Comments: discussion on use tax and sales tax and logic surrounding having those match at 4.5%. Finance Director Jill Kane provided that collecting the tax is either or and the Town will continue with the exemption certificate for purchases by contractors.
3. Lower Basin Water Treatment Plant

#### **BUSINESS ITEMS**

1. LIQUOR LICENSE AUTHORITY - PUBLIC HEARING The Assembly, LLC Modification of Licensed Premises

Mayor Turnipseed clarified his relationship with the remodel of The Assembly to ensure there was no conflict of interest. Town Attorney Matt Mire provided that it was not a financial interest and okay to vote on this item.

Town Clerk Jenny Rakow provided overview of the modification request.

Applicant Jaimie Mackey – provided overview of expanded location.

Council Comments: inquiry on duration of use of outdoor area. Jamie Mackey provided heaters will be used if needed, Eagle Ranch Downtown Commercial Association allowed use until November 30<sup>th</sup>.

**MOTION: Council Member Andy Jessen motioned to approve the Findings and Order Approving Modification of Licensed Premises for The Assembly LLC Located at 1143 Capitol Street Unit 104 A&B. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.**

2. Resolution 46, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Three Members to Serve on the Eagle Ranch Housing Board"

**MOTION: Council Member Matt Solomon motioned to approve Resolution 46, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Three Members to Serve on the Eagle Ranch Housing Board appointing Scott Turnipseed, Ellen Bodenhemier and Grant Murphy. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.**

3. 2020 Proposed Ballot Questions

Council Comments: Town Attorney Matt Mire provided direction on Council comments on ballot issues once ballot titles are set and suggested consideration of a Resolution urging support.

- a. Ordinance 21, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 3, 2020, to be Coordinated With Eagle County, and Submitting Ballot Questions and Issues to Qualified Electors at the Special Election to Create a Downtown Development Authority" *Draft First Reading*

**MOTION: Council Member David Gaboury motioned to approve Ordinance 21, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 3, 2020, to be Coordinated With Eagle County, and Submitting Ballot Questions and Issues to Qualified Electors at the Special Election to Create a Downtown Development Authority". The motion was seconded and passed with a vote of 6 in favor and 0 opposed.**

- b. Resolution 50, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting Two Ballot Issues to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax From \$4.00 Per Day Per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid, and to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%" *Draft First Reading*

Council Comments: discussion on use tax and necessity of increasing this tax to match current sales tax at 4.5%. Finance Director Jill Kane provided overview of use tax collection process and state recommendation that the state collect this tax on behalf of the town. Discussion on valuation methods, items purchased out of Eagle, and consideration of capping the use tax valuation amounts.

Public Comment: Dave Dantas provided his experience with use tax and difficulties for builders and financing the town fees up front.

**MOTION: Council Member Andy Jessen motioned to approve Resolution 50, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting Two Ballot Issues to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax From \$4.00 Per Day Per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid, and to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%".**

Council Comments: Town Attorney Matt Mire provided that that financial information for TABOR is not included in this Resolution and suggested waiting for that information before voting. Further council discussion to separate the ballot titles and voting on them individually.

**The motion was not seconded, and the motion failed.**

**COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS**

**1. Broadway Street Repairs & Maintenance**

Council Comments: discussion on planters in front of the Brush Creek on Broadway and removing them to use for repairs. Public Works Director Bryon McGinnis provided that the Town has materials to make repairs and did not need additional materials from planters. Town Manager Brandy Reitter provided that this work was budgeted, and no motion was necessary. Council confirmed that staff would move forward with these repairs.

**2. Council Committee Updates**

Mayor Turnipseed suggested reaching out to Frost Creek on their wildlife fund for partnership opportunities.

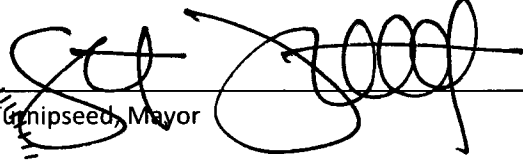
**3. Castle Lodge #122 Request for Donation**

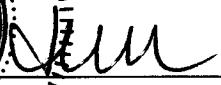
Town Manager Brandy Reitter provided that this request was included in the budget for community funding requests and council will opportunities to vote on this at the next meeting.

**ADJOURN - 7:02 PM**

Approved:

Date:

   
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Scott Turnipseed, Mayor

  
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Penny Rakow, CMC Town Clerk