



MEETING MINUTES
Town Council
Tuesday, August 25, 2020
ON-LINE MEETING
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.*

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. **ACCESS THE ON-LINE 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 Bodenheimier, Adam Palmer late,
David Gaboury

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Alexandra Slaten, 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

MOTION: Council Member David Gaboury motioned to approve the Amended Agenda. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.

PUBLIC COMMENT

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

Council Member Gaboury commended Keri McDowell for her award.

CONSENT AGENDA

MOTION: Council Member Andy Jessen motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.

1. Minutes - August 11, 2020

2. Medical Marijuana License Renewal: Sweet Leaf Pioneer LLC Medical Marijuana Cultivation/Optional Premises License at 0245 Marmot Lane #5 and Medical Marijuana Center License for 825 "A" Chambers Ave.
3. Resolution No. 54, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Local Disaster Emergency"
4. First Amendment to Intergovernmental Agreement Between the Eagle County Clerk and Recorder and The Town of Eagle, Colorado Concerning Tuesday, November 3, 2020 General Election

STAFF REPORTS

1. Town Manager Update
Council Comments: Brandy will continue to work with Comcast on schedule and issues in Eagle. Brandy will also work with Chad Phillips on the LERP.
2. Financial Report: YTD Budget to Actual Report with Projected YE Revenues
Council Comments: Discussion on locations of specific taxes in the budget and confirmation that revised expenditures and updated revenues will be presented at the budget work session.

BUSINESS ITEMS

1. CARES Act Funding for Non-Profits
Council Comments: discussion on the \$2700.00 remaining in the fund after averages were given to all that requested funding. Council determined to split the remaining balance with the Community Food Bank and the Bright Future Foundation.

MOTION: Council Member Matt Solomon motioned to approve the CARES Act Funding for Non-profits as voted on by Council and presented by staff and distribute the remaining funds equally between the Community Food Bank and the Bright Future Foundation. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.

2. Resolution No. 55, Series 2020, "Resolution of the Town Council of the Town of Eagle, Colorado Approving a Construction Contract With Schofield Excavating, Inc. for the Construction of the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project"
Council Comments: Discussion on the rationale for the lowest bidder and concerns regarding change orders. Staff confirmed they reviewed the bids, and all were submitted equally. Additionally, the Town has worked with Schofield in the past and are comfortable with this contractor and their bid.

MOTION: Council Member Adam Palmer motioned to approve Resolution No. 55, Series 2020, "Resolution of the Town Council of the Town of Eagle, Colorado Approving a Construction Contract With Schofield Excavating, Inc. for the Construction of the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Palmer, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

3. 2020 Proposed Ballot Questions

Resolution No. 50, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020, Coordinated Election, to

a. 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"

MOTION: Council Member Andy Jessen motioned to approve Resolution No. 50, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue 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". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.

- b. Resolution No. 56, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020, Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%"

Council Comments: Discussion on postponing this question until more information can be reviewed. Additional discussion on removing the use tax altogether.

Public Comment:

Merv Lapin: request to keep the use tax similar to other towns to stay competitive.

MOTION: Council Member Matt Solomon motioned to Deny Resolution No. 56, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020, Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.

- c. Resolution No. 57, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election"
- Brandy Reitter presented this item. The intent is for this Gallagher Amendment ballot issue to be a regional effort in Eagle County. The intent is to maintain property tax at a reasonable rate. Currently, the State is also considering a reassessment that would reduce property tax revenue for the Town. There is a statewide ballot question relating to repeal the Gallagher Amendment.

Council Comments: discussed potential ramifications if the state ballot passes and whether passing this locally could have the reverse effect and further reduce revenues.

MOTION: Council Member Andy Jessen motioned to approve Resolution No. 57, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Town Council Strategic Plan Draft Review

Council Comments: a review of the updated plan took place. Request changes to include the same population estimates throughout the document, removing the demographic page entirely, include investment in broadband as a strategic goal. Discussion on removing "complete bike and pedestrian audit." Discussion on whether to include goals and objectives in the plan. Request to not alphabetize the objectives as they appear in priority order. Mayor Turnipseed will continue to work with staff and bring the final plan to the Council for adoption.

EXECUTIVE SESSION

1. 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 dated July 25, 1995 with Mountain Recreation and the Eagle County School District, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

MOTION: Council Member Andy Jessen motioned to adjourn the regular meeting and enter into executive session 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 dated July 25, 1995 with Mountain Recreation and the Eagle County School District, pursuant to C.R.S. § 24-6-402(4)(b) and (e). **COMMENT.** The motion was seconded and with a vote of 7 in favor and 0 opposed. (7:13 P.M.)

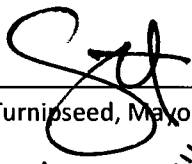
Mayor Turnipseed reconvened the meeting at 7:24 p.m.

MOTION: Council Member Matt Solomon motioned to authorize Hoffman, Parker, Wilson & Carberry P.C. to enter into mediation with the Eagle County School District and Mountain Recreation regarding the Intergovernmental Agreement dated July 25, 1995 as it relates to the noon ball program. The motion was seconded and with a vote of 7 in favor and 0 opposed.

ADJOURN - 7:30 PM

approved:

Date:



Scott Turnipseed, Mayor



Jenny Rakow, CMC Town Clerk

