



MEETING MINUTES
Town Council
Tuesday, October 13, 2020
ONLINE MEETING

*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 - 6:00 PM

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, David Gaboury

COUNCIL MEMBERS ABSENT

Adam Palmer

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

MOTION: Council Member David Gaboury motioned to approve the Agenda. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

PUBLIC COMMENT

CONSENT AGENDA

Matt Solomon request to abstain from item #4 in the approval.

MOTION: Council Member Andy Jessen motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 6 in favor (Solomon (abstain from #4), Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

1. Minutes - September 22, 2020
2. Bill Pay - September 2020

3. Resolution No. 73, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Construction Contract with NeuComm Solutions for the Construction and Installation of a Telecom Shelter at the Public Works Facility"
4. Resolution No. 71, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for Eagle Landing at Brush Creek Townhomes Phase 3"
5. Resolution No. 72, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Services Agreement with ARC Abatement Inc. for the Abatement of Asbestos at 410 Broadway"

STAFF REPORTS

1. Town Manager Update
2. Department Update
3. Lower Basin Water Treatment Plant Report Update

BUSINESS ITEMS

1. Resolution 61, Series 2020, "A Resolution of the Town of Eagle, Colorado Appointing____, _____, and _____ to Fill Vacancies on the Town of Eagle Planning Commission"

Chad Phillips presented this item. Council is requested to appoint three vacancies on the Planning Commission with two regular seats and an alternate. As an update, Gary Scanlon withdrew interest.

Charlie Perkins presented his interest in serving on the planning commission.

Kyle Hoiland presented his interest in serving on the planning commission.

MOTION: Council Member Andy Jessen motioned to approve Resolution 61, Series 2020 "A Resolution of the Town of Eagle, Colorado Appointing Charlie Perkins, Kyle Hoiland and Benjamin Winkeller to Fill Vacancies on the Town of Eagle Planning Commission. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member Andy Jessen motioned to clarify the terms for members as a reappointment of Charlie Perkins and Kyle Hoiland to regular members with terms expiring in February 2023, appointing Robert Townsend as a regular member with term expiring in February 2024, and appointing Benjamin Winkeller as the alternate with term expiring in February 2024. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

2. Resolution No. 67, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Open Space and Recreation Advisory Committee Members"

Brandy Reitter provided the Council with an update on the process for the creation of this committee and appointment request.

Erinn Hoban introduced herself.

Lizzie Owens introduced herself.

Janet Bartnik introduced herself.

John Bailly introduced himself.

(Later) Jessica Foulis introduced herself.

MOTION: Council Member Andy Jessen motioned to approve Resolution No. 67, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Open Space and Recreation Advisory Committee Members". The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

3. Resolution No. 74, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Professional Services Agreement with Zehren and Associates for the Highway 6/ Grand Avenue Corridor Study" Bill Shrum presented this item.

Council Comments: confirmed the contract included language regarding Gary Brooks being part of the project team. Bill Shrum stated it does include those assurances. Inquiry on whether 30% drawings would be good enough for cost estimates. Gary Brooks stated it will be used to provide good cost numbers for phases and the model.

MOTION: Council Member Andy Jessen motioned to approve Resolution No. 74, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Professional Services Agreement with Zehren and Associates for the Highway 6/ Grand Avenue Corridor Study". The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

4. 2020 Town of Eagle Ballot Question Support Resolutions

- a. Resolution 63, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting and Urging a "Yes" Vote on the Eagle Downtown Development Authority at the November 3, 2020, Coordinated Election"

MOTION: Council Member David Gaboury motioned to approve Resolution 63, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting and Urging a "Yes" Vote on the Eagle Downtown Development Authority at the November 3, 2020, Coordinated Election". The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

- b. Resolution No. 75, Series 2020, " A Resolution of the Town Council of the Town of Eagle, Colorado Supporting and Urging A "Yes" Vote on Statewide Amendment B, Regarding Gallagher Repeal, and Town of Eagle Ballot Issue 2B Regarding Gallagher Stabilization at the November 3, 2020, Election"

MOTION: Council Member Matt Solomon motioned to approve Resolution No. 75, Series 2020, " A Resolution

of the Town Council of the Town of Eagle, Colorado Supporting and Urging A "Yes" Vote on Statewide Amendment B, Regarding Gallagher Repeal, and Town of Eagle Ballot Issue 2B Regarding Gallagher Stabilization at the November 3, 2020, Election". The motion was seconded and passed with a vote of 5 in favor (Jessen, Kerst, Turnipseed, Bodenheimier, and Gaboury) and 1 opposed (Solomon).

- C. Resolution No. 76, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Urging a "Yes" Vote on Ballot Issue 2A, the Lodging Tax Change, at the November 3, 2020 Coordinated Election"

MOTION: Council Member Matt Solomon motioned to approve Resolution No. 76, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Urging a "Yes" Vote on Ballot Issue 2A, the Lodging Tax Change, at the November 3, 2020, Coordinated Election". The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Gaboury) and 0 opposed.

5. 2021 Draft Budget Presentation

Jill Kane presented the draft budget and requested the Council to set the Public Hearing for the Budget on November 10th and December 8th 2020.

Mayor Turnipseed requested a high-level approach for the discussion and requested that the Council give direction on items listed in the staff report.

Council Discussion:

1. Tobacco Tax – Should any funds be allocated back to the County or designated for nicotine education? Staff Recommendation – Keep funds in the Town of Eagle General Fund which funds the police department and our School Resource Officer who works with minors who may have nicotine/tobacco dependency issues.

Council Comments: consider allocating some of the revenue to Eagle County or nonprofit for prevention and cessation. Consider a policy for 10% of the projected annual revenue and have further discussions and provide detail on how the Council would like to see the funds used and allocated. Further discussion on earmarking some of the funds for recreation.

2. 2016 Sales Tax Revenue Bond for the River Park – Should the Town work Towards paying off the Bond early? Staff Note – There is a 10-year call period. The 2016 bonds maturing on or before December 1, 2016, are not subject to prior redemption. The annual debt service is approximately \$320,000 increasing to approximately \$480,000 in 2046. The total principal for 2027-2046 is \$4.16M. The Town is currently projecting \$3.36M in CIP expenditures (not including operating/debt service) and \$3.84M in Revenues in the next 5 years.

Council Comments: Council agreed to be fiscally responsible more information will be needed on this. Priority is to ensure we can update the park during the time frame.

3. Currently there is \$10,000 in 2021 for Trail Construction in the Open Space Fund for Haymaker II Trail – Brush Creek Valley Ranch – Should another \$10,000 be added to the Open Space Budget for Trail building in 2021? Staff Note – Ending Open Space Fund Balance for 2021 is currently projected at \$144,735, down from 2019 and 2020 year-end fund balances of \$325,989 and \$268,884, respectively.

Council agreed on the proposed increase for trails.

4. There is currently a Code Enforcement Officer in the Budget for 2021 – Should we have a PIO instead? Staff Recommendation – Keep the Code Enforcement Officer in the Budget – Staff does not think the Town is at a point in which we would require a full-time PIO. Staff will make that recommendation when it is necessary.

Brandy Reitter was asked to comment on this item and stated that code enforcement is key for the town and that communication issues were being handled internally. If there are concerns about town communications, we should discuss further. Council agreed to keep the funding for Code Enforcement Officer.

5. Should we put light pole banners in the 2021 budget for an approximate cost of \$5,000? Staff Recommendation is to included banner poles in the 2021 budget.

Council agreed to the light pole banners.

Mayor Turnipseed requested a poll to determine a budget work session date before November 10th.

MOTION: Council Member Matt Solomon motioned to set the Budget Public Hearing for November 10th and December 8th, 2020. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

6. Resolution No. 70, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Directing the Town's Officers and Staff to Undertake Certain Actions Toward the Construction and Financing of a Broadband System, to be Owned and Operated by the Town Through a TABOR Enterprise"

Mayor Turnipseed opened this item and stated it has been updated since the packet was published with minor language changes.

MOTION: Council Member Andy Jessen motioned to approve Resolution No. 70, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Directing the Town's Officers and Staff to Undertake Certain Actions Toward the Construction and Financing of a Broadband System, to be Owned and Operated by the Town Through a TABOR Enterprise". The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

7. Town Manager Annual Review Process

Council Comments: discussion on the timing of Brandy's review to ensure it coincides with the budget process if possible. Consensus to do the review in February to avoid year-end budget work sessions and allow more time to focus on the review process. Consensus to keep the 360 review with direct reports. Requested different questions for Council and Direct Reports to keep questions relevant for those responding. Lynette Horan also provided information on the process and indicated that the scores from Direct Reports and Council should not be combined or impact her potential salary increase. Discussion on allowing comments for each section. Lynette will provide questions and drafts for Council review.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Committee Updates

Bodenhemier stated she will be meeting with Eagle Ranch Housing Corp on Monday the 19th.

Gaboury stated he attend the VVP Seminar on resiliency and tourism-related impacts.

2. Town Council Meeting Schedule for the Remainder of 2020

Mayor Turnipseed stated the Council typically cancels the second meetings in November and December due to holidays.

Council agreed to cancel both second meetings in November and December.

3. Hiring Panel Council Appointments For Open Space and Trails Manager and Public Works Director

Brandy Reitter invited one council member to give feedback on the hiring process for these positions.

MOTION: Council Member Matt Solomon motioned to appoint Council Member Bodenhemier to the Open Space and Trails Manager interviews. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member Mikel "Pappy" Kerst motioned to appoint Council Member Gaboury to the Public Works Director interviews. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

EXECUTIVE SESSION - 8:00 PM

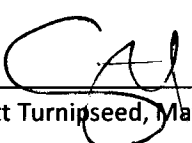
1. Executive Session" Pursuant to C.R.S. Section 24-6-402(4)(b)(e), to have a conference with the with the Town Attorney to receive legal advice on specific legal questions, and to determine positions develop a negotiating strategy and instruct negotiators regarding Intergovernmental Agreement dated July 25, 1995, between the Town, Eagle County School District Re-50J and the Western Eagle County Metropolitan District.

MOTION: Council Member Scott Turnipseed motioned to Adjourn the Regular Meeting and enter into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b)(e), to have a conference with the Town Attorney to receive legal advice on specific legal questions, and to determine positions develop a negotiating strategy and instruct negotiators regarding Intergovernmental Agreement dated July 25, 1995, between the Town, Eagle County School District Re-50J and the Western Eagle County Metropolitan District and move to Adjourn the Regular meeting at the end of the Executive Session. The motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

ADJOURN - 8:15 PM

Approved:

Date:



Scott Turnipseed, Mayor



Jenny Rakow, CMC Town Clerk

