**MEETING MINUTES**
**Town Council**
**Tuesday, January 12, 2021**
**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 ONLINE MEETING HERE

## CALL TO ORDER

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, 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 Staufer, Police Chief
Carrie Buhlman, Sergeant
Lynette Horan, Human Resources Manager

## ADOPTION OF AGENDA

There were no changes to the agenda.

**MOTION: Council Member Matt Solomon motioned to adopt the agenda. 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

Sara Cassidy commented that she is the Community Liason for CMP under a commercial agreement with Union Pacific for the Tennesee Pass Rail Line. Her organization would like to engage with the town to understand the needs and desires of the community about the rail corridor.

Tsu Wolin Brown requested funds on behalf of the Salvation Army.

## PRESENTATIONS

1. SpeakUp Reach Out
   Erin Ivie – provided information regarding her organization and invited town leaders to participate in their programs.
2. New Staff Introductions
   Brandy introduced Brian Lieberman, the Open Space and Trails Manager.

## 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 (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

1. Minutes - December 8, 2020

2. Bill Pay - December 2020

3. Resolution No. 01, Series 2021, "A Resolution Designating the Place for Posting of Notices of Meetings for the Boards and Commissions of the Town of Eagle"

4. Resolution No. 02, Series 2021, "A Resolution Approving a New Billing Adjustment Policy for Inclusion into the Town's Financial Policies and Procedures Manual"

5. Resolution No. 04, Series 2021, "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"

6. Resolution No. 10, Series 2021, "Approval of Professional Services Agreement for the East Eagle Sub Area Plan with Zehren Associates"

7. Resolution No. 11, Series 2021, "Approval for Reimbursement Agreement with RED Development for the East Eagle Sub Area Plan"

8. Resolution No. 13, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Waiving Certain Local Liquor Licensing Fees for the Town of Eagle"

**STAFF REPORTS**

1. Town Manager Update

   Council Comments: requested that the topic for the February 2 Work Session be communication and e bikes will be moved to March. Requested further discussion on the Town's LERP program and to provide those comments to Eagle County.

2. Department Update

   Council Comments: request for additional details in the planning report.

**BUSINESS ITEMS**

1. PUBLIC HEARING: First Reading Ordinance 01, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.03 of the Eagle Municipal Code to Grant to Black Hills Colorado Gas, Inc. D/B/a Black Hills Energy, Its Lessees, Successors and Assigns, a Natural Gas Franchise and the Authority to Construct, Operate, Maintain, and Extend a Natural Gas Distribution Plant and System, and Granting the Right to Use the Streets, Alleys, and Other Public Places Within the Present or Future Corporate Limits of the Town of Eagle, Colorado"

   Mayor Turnipseed opened the Public Hearing for this item.

   Bill Shrum presented this item.

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

**MOTION: Council Member Matt Solomon motioned to approve First Reading Ordinance 01, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.03 of the Eagle Municipal Code to Grant to Black Hills Colorado Gas, Inc. D/B/a Black Hills Energy, Its Lessees, Successors and Assigns, a Natural Gas Franchise and the Authority to Construct, Operate, Maintain, and Extend a Natural Gas Distribution Plant and System, and Granting the Right to Use the Streets, Alleys, and Other Public Places Within the Present or Future Corporate Limits of the Town of Eagle, Colorado". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

2. PUBLIC HEARING: S20-01 Haymeadow Filing 1, 1st Amendment

Mayor Turnipseed opened the Public Hearing for this item.

Jessica Lake presented this item.

Council Comments: confirmed that the applicant has reviewed and accepted the conditions.

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

a. Resolution No. 07, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for Haymeadow Filing 1, 1st Amendment"

**MOTION: Council Member Adam Palmer motioned to approve Resolution No. 07, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for Haymeadow Filing 1, 1st Amendment". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

3. Resolution No. 12, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Memorandum of Understanding by and Between Abrika Properties LLC and the Town of Eagle"

Matt Mire stated that the scope of the MOU effectuates a land swap, however, the Council is not allowed to discuss that topic. This is the procedure for the land swap and use of Town land with the scope to give Brandy Reitter the ability to consent to the filing of a land use application, which can be withdrawn at any time during the process.

Council Comments: confirmed this Resolution and Memorandum of Understanding relates to real property of the Town of Eagle that is included in the application.

**MOTION: Council Member Andy Jessen motioned to approve Resolution No. 12, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Memorandum of Understanding by and Between Abrika Properties LLC and the Town of Eagle". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

4. Resolution No. 05, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for 700 Chambers Avenue, Lot 3"

Mayor Turnipseed opened this item.

Peyton Heitzman presented this item. Staff is recommending denial of this application and has proposed two alternative solutions.

Council Comments: further clarification was provided on the options presented to the applicant, the history of the project approvals, the current Special Use Permit requirements, and what an amended Special Use Permit would provide for.

Applicants Rick Patriacca and Dave Dantas provided comments regarding their desire to sell condominiumize and sell the units. Discussion took place on which residential units would be tied to commercial units.

Council Comments: request to have Town legal representative work with applicants to amend the Special Use Permit. Town Attorney Matt Mire stated no action is necessary tonight, applicants can resubmit and staff will re-notice this hearing.

**MOTION: Council Member Adam Palmer motioned to approve Resolution No. 05, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for 700 Chambers Avenue, Lot 3". The motion was not seconded and failed.**

5. Resolution No. 03, Series, 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Eagle Bucks Program"

Brandy Reitter presented this item and highlighted some changes made to the program by staff.

Jill Kane presented the financial portions of the program.

Council Comments: request to include marijuana in the prohibited items for purchase. Request for outreach to the community and businesses as soon as possible. Discussion on increasing to two $20 vouchers. Discussion on liability for increasing voucher values.

**MOTION: Council Member Matt Solomon motioned to approve Resolution No. 03, Series, 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Eagle Bucks Program" with the addition of marijuana as a prohibited purchase and the voucher at $25.00. The motion was not seconded and failed.**

**MOTION: Council Member Adam Palmer motioned to approve Resolution No. 03, Series, 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Eagle Bucks Program" with the addition of marijuana as a prohibited purchase and the vouchers being $40.00. The motion was seconded and passed with a vote of 3 in favor (Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 1 opposed (Solomon).**

6. Resolution No. 08, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Members to the Grand Avenue Corridor Study Stakeholder Committee"

Mayor Turnipseed opened this item.

Pedro Campos from Zehren and Associates provided an overview of the study and the role of the committee.

Council Comments: Request for 3D virtual evolution of Highway 6. Discussion on the number of members this committee should include. Request to keep the appointees for this committee at nine members and invite the rest to attend.

The following applicants were present and expressed their interest publically: Shane Dickman, Tony Powell, Kristen Miller, Anne McKibbin, Kim Bradley, Amy Pates, and Scott Schlosser.

Mayor Turnipseed requested that the votes be sent to the Town Clerk to tally.

**MOTION: Council Member Matt Solomon motioned to approve Resolution No. 08, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Members to the Grand Avenue Corridor Study Stakeholder Committee". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

7. Resolution No. 09, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting the Application for Grant Funding from the Colorado Department of Transportation Revitalizing Main Street Program"

Bill Shrum presented this item.

**MOTION: Council Member Matt Solomon motioned to approve Resolution No. 09, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting the Application for Grant Funding from the Colorado Department of Transportation Revitalizing Main Street Program". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

Council requested a total of all grants the Town has received over the last few years.

**COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS**

1. Council Committee Updates

   Council Member Palmer updated on the Climate Action Collaborative

2. Eagle Today Town Council Author Request

   Council Member Jessen was selected to write a section for the upcoming Eagle Today.

3. Annual Appointment to NWCCOG

   **MOTION: Council Member Andy Jessen motioned to appoint Matt Solomon as representative and Brandy Reitter as alternate to NWCCOG for 2021. The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, Palmer, and Gaboury) and 0 opposed.**

4. Union Pacific Tennessee Pass Rail Line Committee Participation Request

   Council Member Kerst was selected as the Council Member to be on this committee.

   Future Agenda Items

   Request to send press releases to Business Briefs.

5. Parking in lieu fees for development.

   Code of conduct per the Town Charter. Brandy stated she will send the draft she has out for review and will do so in early February.

   Request for work session topic about the Climate Action Collaborative.

**ADJOURN - 9:00 PM**

Approved:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

TOWN OF EAGLE OFFICIAL SEAL 1905