



**MEETING MINUTES
ONLINE MEETING
Town Council
Tuesday, March 9, 2021
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at www.TownofEagle.org.
The times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an online meeting.

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, Mikel Kerst, Scott Turnipseed, Ellen
Bodenhemier, David Gaboury

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant Town Manager
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Planner I
Jessica Lake, Planner I
Joey Staufer, Police Chief
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Mikel Kerst motioned to approve the Agenda. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

PUBLIC COMMENT

Laura (unknown), thanked the Town Council for distributing Eagle Bucks.

PRESENTATIONS

1. Red Canyon Townhomes Land Donation Proposal, Michael Lavery
Michael Lavery provided information to the Council on his request to make a donation of 1 acre of land to the Town located by Red Canyon Townhomes as a charitable contribution.

Council Comments: directed staff to work with Michael Lavery on this request.
2. Greater Eagle Fire Protection District, Hugh Fairfield Smith
Hugh Fairfield Smith and Chief Doug Cupp presented this item and requested approval of the mitigation plans as

presented.

Council Comments: inquiry if Eagle Fire was able to provide wildfire assessments with homeowners, Chief Cupp stated they can do assessments for residents.

MOTION: Council Member Matt Solomon motioned to approve the wildfire mitigation as presented and as needed going forward. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

3. SGM - Lower Basin Water Treatment Plant Update

Warren Swanson from SGM presented this item and included a project budget summary.

Council Comments: inquiry on concern if the total costs are too close to the amount of SRF loan. Warren responded they are currently working on some issues and disagreements related to costs.

4. MWH - Lower Basin Water Treatment Plant Update

Michael Haarman and Tyler Hendrix from MWH presented this item and included an update and summary of the project.

Council Comments: inquiry on when the project would be complete. Tyler and Michael stated all systems are ready and tested, they will be finishing the water pumps next week. They are currently working on crack repair, which will be the last remaining item before completion.

Tom Gosiorowski stated he would like to set up site tours for the Council.

CONSENT AGENDA

Council Comments: request to pull Item #4, Resolution 22. Series 2021 for further discussion. Council reached consensus to add Mayor Pro Tem to the list of signors to the Resolution.

MOTION: Council Member Matt Solomon motioned to approve Resolution 22, Series 2021, A Resolution of the Town Council of the Town of Eagle, Colorado Revising the Check and Electronic Fund Transfer Signing Authority Policy with the addition of Mayor Pro Tem as an authorized signor. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member David Gaboury motioned to approve the consent agenda. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

1. Minutes - February 23, 2021

2. Bill Pay - February 2021

3. Base Camp Eagle Reimbursement Agreement

4. Resolution 22, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Revising the Check and Electronic Fund Transfer Signing Authority Policy"

5. Resolution 23, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Reduction of the Performance Guarantee for the Eagle Landing at Brush Creek Development due to the Completion of Public Improvements"

STAFF REPORTS

1. Town Manager Update
2. Department Update

BUSINESS ITEMS

1. Municipal Broadband Project Update
Brandy Reitter provided an overview of this item.

Council Comments: inquiry on how to reduce the bond if costs come in lower than expected. Troy Bernberg stated the Town can negotiate with the bank for a loan on only the amount that is drawn. Inquiry on public health language in the ordinance. Attorney Matt Mire stated it is standard language for ordinances. Discussion on combining the wastewater and broadband enterprise. Troy Bernberg indicated that because the Town is not refinancing the wastewater bonds, it needs to combine the accounts for collateral purposes. Council directed Brandy to bring the Utility Enterprise Ordinance for consideration on March 23rd.

- a. Draft - Combined Utility Enterprise Ordinance
- b. Draft - Ordinance Approving Broadband Bonds

2. PUBLIC HEARING: SU21-01 700 Chambers Avenue, Lot 3 Special Use Permit
Mayor Turnipseed opened the public hearing for Land Use File SU21-01 700 Chambers Avenue, Lot 3 Special Use Permit.

Peyton Heitzman presented this item.

Council Comments: confirmation that the findings as presented were consistent with previous council discussion on this project. Inquiry if an HOA was being formed to address complaints or concerns by the homeowners and tenants of this complex. Ashley Patriacca stated owners are onsite at this location and homeowners and tenants will be given the owner's contact information for after-hours and weekends.

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

Council Comments: inquiry on what happens if conditions are not met. Chad Phillips stated the Town can revoke the permit through a process involving the Planning Commission and Town Council. Town Attorney Matt Mire provided that if Council does not believe conditions will be met, they should vote no on this item.

MOTION: Council Member David Gaboury motioned to approve Resolution 24, Series 2021, A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Special Use Permit for 700 Chambers Avenue, Lot 3. The motion was seconded and passed with a vote of 3 in favor (Kerst, Turnipseed, and Gaboury) and 2 (Solomon and Bodenheimier) opposed.

- a. Resolution 24, Series 2021, " A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Special Use Permit for 700 Chambers Avenue, Lot 3"
3. PUBLIC HEARING: CT20-04 700 Chambers Avenue, Lot 3 Condominium Plat
Mayor Turnipseed opened the public hearing.

Peyton Heitzman presented this item and stated because of the previous approval of the Special Use Permit, staff is recommending approval of the final plat.

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

MOTION: Council Member David Gaboury motioned to approve Resolution 5, 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 seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenheimier, and Gaboury) and 0 opposed.

- a. Resolution 5, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for 700 Chambers Avenue, Lot 3"

4. PUBLIC HEARING: Town Council Candidate Interview Process

Mayor Turnipseed thanked all applicants for applying for the vacancies and provided an outline of the process.

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

The Council was provided a link by the Town Clerk to a final vacancy poll to determine the final two vacancy candidates for appointment.

Town Clerk Jenny Rakow provided the results of the poll announcing Geoffrey Grimmer and Janet Bartnik receiving the highest votes.

Brandy Reitter confirmed that the candidates will be sworn in on March 23, 2021.

- a. Candidate Interview Scoring Work Sheet
- b. Vacancy Applicant Information
- c. Public Support Letters
- d. Resolution 19, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Two Councilmembers to Fill Two Vacancies"
MOTION: Council Member Ellen Bodenheimier motioned to approve Resolution 19, Series 2021, A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Two Councilmembers to Fill Two Vacancies and naming Geoffrey Grimmer and Janet Bartnik as the two new Councilmembers. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenheimier, and Gaboury) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Committee Update

Council Member Solomon introduced a new book to share.

Council Member Bodenheimier provided an update on the Open Space & Recreation Advisory Committee, which included the Haymaker Trailhead Improvements discussion. Brandy will provide information on temporary improvement costs by March 23rd for Council consideration.

Council Member Gaboury provided the new DDA board held its first meeting yesterday.

2. Haymaker Trailhead Improvements

3. Eagle River Park Improvements

Brandy Reitter updated the Council that users at the river park are interested in forming a group to suggest improvements to the town. One option is that we allow them to attend and participate on the OSRAC instead of creating a separate group. OSRAC would then provide the options to the Council for consideration and prioritization for funding.

Council Comments: inquiry on using increased sales tax funds for added improvements. Brandy will provide an update on the river park sales tax fund balance and projects for 2021 at an upcoming meeting.

4. Future Agenda Items

Council Member Bodenhemier provided information regarding the Holy Cross Energy Grant and Proclamation for Adam Palmer for a "day of service" to complete projects Adam had started. Information will be sent to Brandy for follow up.

Inquiry on when the budget update will be provided and Jill confirmed to occur quarterly, with the next report to be presented at the second meeting of April.

EXECUTIVE SESSION - 8:25 PM

MOTION: Council Member Matt Solomon motioned to enter into Executive Session to hold a conference with the Town Attorney and special counsel to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the Powell Annexation and adjourn the regular meeting at its conclusion. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

EXECUTIVE SESSION: Executive Session to hold a conference with the Town Attorney and special counsel to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions

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ADJOURN - 8:50 PM

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

