



MEETING MINUTES

ONLINE MEETING

Town Council

Tuesday, March 23, 2021

Public Meeting Room / Eagle Town Hall

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.

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.

OATH OF OFFICE

1. Geoffrey Grimmer, Oath of Office
Geoffrey Grimmer read his oath of office into the record.
2. Janet Bartnik, Oath of Office
Janet Bartnik read her oath of office into the record.

ROLL CALL

COUNCIL MEMBERS PRESENT

Matt Solomon, Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, David Gaboury, Janet Bartnik, Geoffrey Grimmer

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
Tom Gosiorowski, Public Works Director
Joey Staufer, Police Chief
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

Mayor Turnipseed called for a moment of silence for the tragedy in Boulder.

PUBLIC COMMENT

Kristin Shaw 2189 Brush Creek Rd. expressed her opposition to the land swap for the Haymeadow Development.

PRESENTATIONS

1. One Book One Valley Proclamation, Lori Barnes
Lori Barnes presented this item. Mayor Turnipseed read the proclamation into the record.

2. CIRSA Code of Ethics and Conduct, Sam Light
Sam Light presented this item.

The Council will review the draft with staff, and the Town Attorney and submit to CIRSA for final review.

CONSENT AGENDA

The Council requested to approve each consent item separately.

1. Minutes - March 9, 2021
Council Comments: requested correction to minutes to include language "and to adjourn from regular meeting" at the conclusion of the executive session motion.

MOTION: Council Member Matt Solomon motioned to approve the Minutes from March 9, 2021, with corrections. The motion was seconded and passed with a vote of 6 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, and Grimmer), 1 abstain (Bartnik) and 0 opposed.

2. Resolution 31, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Settlement Agreement Between the Town of Eagle, Eagle County School District Re-50J and the Mountain Recreation Metropolitan District"

Council Member Bartnik requested to recuse herself from voting on this item.

MOTION: Council Member Ellen Bodenhemier motioned to Approve Resolution 31, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Settlement Agreement Between the Town of Eagle, Eagle County School District Re-50J and the Mountain Recreation Metropolitan District". The motion was seconded and passed with a vote of 4 in favor (Kerst, Turnipseed, Gaboury, and Bodenhemier), 1 abstain (Grimmer) and 1 opposed (Solomon).

3. Sweet Leaf Pioneer LLC Retail Marijuana Store License and Cultivation License Renewal
MOTION: Council Member David Gaboury motioned to approve Sweet Leaf Pioneer LLC Retail Marijuana Store License and Cultivation License Renewal. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

Council Comments: requested code language update to delegate marijuana license renewal approvals to the Town Clerk.

STAFF REPORTS

1. Town Manager Update
Council Comments: discussed a memorial at the River Park for Andy Jessen and Adam Palmer. Ideas included a bench and using designs produced by the company that created the Bonfire fire pit. Brandy will reach out to the families for additional ideas and input to begin work on a proposal.
 - a. 2021 Event Calendar
 - b. American Rescue Plan Act of 2021 - Coronavirus State and Local Recovery Funds Fact Sheet

BUSINESS ITEMS

1. PUBLIC HEARING: AN20-01 Powell Park Annexation
Mayor Turnipseed opened the public hearing for the AN20-01 Powell Park Annexation.

Peyton Heitzman presented this item.

Council Comments: discussion regarding setbacks, well abandonment, and EQR calculations.

Applicant Willie Powell and Attorney Mike Sawyer outlined their position on raw water dedication and disagreement with staff recommendation on the automatic renewal option. Further stated he believed a precedent has already been set by the Town with other development.

Mayor Turnipseed opened public comment.

Audrey Powell 65 Christian Ct. requested information on annexation agreement language for other development relating to raw water. Mayor Turnipseed stated annexation agreements are public records.

Applicant Willie Powell requested discussions regarding raw water to be held in an open session and not an executive session.

Council discussion took place on raw water agreement termination scenarios with or without cause as it related to both parties.

Mayor Turnipseed closed public comment.

Council Comments: discussion on whether to hold another executive session regarding raw water agreement. Town Attorney Hilary Graham provided options to Council on decisions that could be made. If the decision were postponed tonight, a new public notice would need to be published. The applicant indicated he would need more time to discuss with his family. Council discussed the postponement of the hearing and requested an executive session for April 27, 2021.

MOTION: Council Member Matt Solomon motioned to continue the Public Hearing for AN20-01 Powell Park Annexation until April 27, 2021, and requested that staff provide previous annexation agreements for review during an Executive Session. The motion was seconded and passed with a vote of 7 (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) in favor and 0 opposed.

Mayor Turnipseed closed the Public Hearing for AN20-01 Powell Park Annexation and stated it will be reopened on April 27th.

- a. Resolution 30, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of Real Property Located in Unincorporated Eagle County (Powell Park Subdivision)"
- b. Ordinance 4, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County, Zoning the Property Residential Medium and Approving the Associated Annexation Agreement"
2. PUBLIC HEARING: LURA21-01 Amendment to the West Eagle Sub Area Plan
Jessica Lake presented this item.

Council Comments: discussion on open space and payment of "in lieu" fees if the space is not designated a Town park.

Mayor Turnipseed opened public comment.

Tori Franks provided that Eagle County is looking for development partners and reiterated that the concept plan

from 2016 will be updated.

Allie and Sam, Shorthorn Townhomes: inquired about the road alignment, crosswalks, and path along the frontage of their property. Staff provided more information on road alignment being performed by the Haymeadow development. Staff provided information on the process and ability for public and council input.

Jennifer Sturgeon 0362 Abrahams Creek Drive; inquired about the definition of workforce housing. Tori Franks provided that the goal will be deed-restricted housing similar to Miller Ranch in Edwards.

Mayor Turnipseed closed public comment.

- a. Resolution 29, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Ratifying an Amendment to The West Eagle Sub Area Plan"
MOTION: Council Member Ellen Bodenhemier motioned to approve Resolution 29, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Ratifying an Amendment to The West Eagle Sub Area Plan". The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.
3. PUBLIC HEARING: PUDA20-01 Haymeadow PUD Amendment Request to Continue to April 27, 2021
Mayor Turnipseed opened the public hearing for PUDA20-01.

Council Member Bartnik recused herself from this vote.

MOTION: Council Member David Gaboury motioned to Continue Public Hearing PUDA20-01 Haymeadow PUD Amendment Request to April 27, 2021. The motion was seconded and passed with a vote of 6 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, and Grimmer) 1 abstain (Bartnik) and 0 opposed.

4. Ordinance 03, Series 2021 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Providing for a Utility Enterprise as an Enterprise of the Town Under Article X, Section 20 of the Colorado Constitution "
Brandy Reitter presented this item.
MOTION: Council Member Matt Solomon motioned to approve Ordinance 03, Series 2021 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Providing for a Utility Enterprise as an Enterprise of the Town Under Article X, Section 20 of the Colorado Constitution ." The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.
5. Town Council Committee Appointments

- a. Resolution 25, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing _____ to the CML Policy and Legislative Committee"
Brandy Reitter gave an overview of policy committee requirements and meetings.

Council discussed volunteers for this committee. Council Member Grimmer volunteered.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 25, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Geoff Grimmer to the CML Policy and Legislative Committee". The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

- b. Resolution 26, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing _____ to the Compact of Colorado Communities"
Mayor Turnipseed volunteered for this appointment.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 26, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Scott Turnipseed to the Compact of Colorado Communities”. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

Resolution 27, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing

- c. _____ to the Eagle County Climate Action Collaborative and _____ as an Alternate”

Council Members Bodenhemier and Grimmer volunteered for this committee with Bodenhemier to serve as the alternate.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 27, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Geoff Grimmer to the Eagle County Climate Action Collaborative and Ellen Bodenheimer as an Alternate”. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

- d. Resolution 28, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing _____ and _____ to the Grand Avenue Corridor Stakeholder Committee”

Council Members Bartnik and Bodenhemier volunteered for this committee.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 28, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Janet Bartnik and Ellen Bodenhemier to the Grand Avenue Corridor Stakeholder Committee”. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

Council requested an updated committee list from staff.

6. Community Survey Budget Funding Request

Bill Shrum presented this item and request additional funding for the multicultural responses and additional outreach. Council was asked to choose how to fund this change.

MOTION: Council Member Matt Solomon motioned to Approve the Community Survey Budget Funding Request using option one doing a budget amendment of \$7,047 to be transferred from Special Council Funding to Professional Services. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Council Committee Update

Mayor Turnipseed updated on the Eagle Ranch Wildlife Committee and proposal for a second kids fishing pond.

2. Haymaker Trailhead Improvements

Brian Lieberman presented this item. Staff request if for feedback on the improvements made available with the \$150K budget. A contractor would be used to complete these projects.

MOTION: Council Member David Gaboury motioned to Approve up to \$25,000 to complete the Haymaker Trailhead 2021 Improvements Plan as presented. The motion was seconded and passed with a vote of 7 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

3. Future Agenda Items

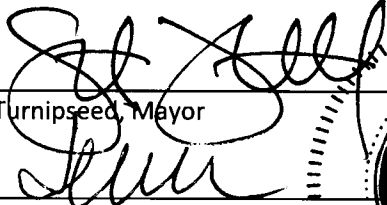
Council Member Bodenhemier requested public input on the Second Street closure and improvements. Staff stated it does have improvements planned.

Council Member Solomon requested accident data for the 2nd Street intersection with Highway 6 to compare with other intersections.

ADJOURN - 9:30 PM

Approved:

Date:



Scott Turnipseed, Mayor



Jenny Rakow, CMC Town Clerk

