



MINUTES
Town Board of Trustees
Tuesday, October 25, 2016
6:00 P.M.

Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO

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This meeting is recorded and a CD will become part of the permanent record of the minutes. The following is a condensed version of the proceedings as written by Jenny Rakow.

PRESENT

Anne McKibbin, Mayor
Andy Jessen
Mikel "Pappy" Kerst
Paul Witt (8:10 p.m.)
Matt Solomon
Scott Turnipseed
Kevin Brubeck

STAFF

John Schneiger, Town Manager
Jenny Rakow, Town Clerk
Ed Sands, Town Attorney
Tom Boni, Town Planner
Dusty Walls, Public Works Director
Joey Stauffer, Police Chief
Jill Ewing, Finance Director

6:00 PM – REGULAR MEETING CALLED TO ORDER – Mayor McKibbin informed the audience the Town Board is attempting to limit speaking on agenda items to ensure all items can be heard in a timely manner.

PUBLIC COMMENT

Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person per topic, unless arrangements have been made for a presentation with the Town Clerk.

Rick Beveridge informed the Town Board that he is running for County Commissioner and highlighted his platform.

Michael Dunahay informed the Town Board that he is running for County Commissioner and highlighted his platform.

Jill Ryan informed the Town Board that she is running for re-election as County Commissioner and highlighted her platform.

Wendy Rimel, President of Education Foundation of Eagle County presented request for the Town Board to sign Resolution 54-2016 in support of Eagle County School District's Mill Levy Override (3A) and Bond Initiative (3B) on the November 8, 2016 Ballot. Wendy highlighted the ballot issues intent and what the proceeds are proposed to cover. Trustee Solomon stated he believes endorsing ballots is outside the scope of the Town Board.

MOTION: Trustee Turnipseed motioned to approve Resolution 54-2016. Motion was seconded and PASSED. Aye: Jessen, Brubeck, Kerst, McKibbin and Turnipseed. Nay: Solomon.

PRESENTATIONS

Kathy Chandler Henry informed the Town Board that she is running for re-election as County Commissioner and highlighted her platform.

Eagle County Gives Day Proclamation – Michelle Maloney, Executive Director. Michelle highlighted Eagle County Gives Day scheduled for December 6th. Describes how the Proclamation supports the county-wide program and also highlighted the dollar amounts raised for local charities.

MOTION: Trustee Brubeck motioned to approve Proclamation 2016-01. Motion was seconded and PASSED unanimously.

Eagle River Park and Committee Update - Caroline Bradford. Caroline presented proposed Resolution endorsing and supporting GOCO grant application. The \$350,000 grant, if awarded, will be dedicated entirely to the features in the river.

MOTION: Mayor McKibbin motioned to approve Resolution 53-2016 A Resolution of the Board of Trustees of the Town of Eagle, Colorado Supporting the Submission of an Application for Funds from The State Board of The Great Outdoors Colorado Trust Fund. Motion was seconded and PASSED unanimously.

Caroline highlighted the selection of a Citizen Committee that was recently formed and met on Friday, October 21st. Trustee Matt Solomon has requested to be the Board representative. Bruce Norring was an additional member that was added. Caroline asked the Board approve the ad hoc committee who will serve without terms.

MOTION: Trustee Turnipseed motioned to approve the Eagle River Park Citizens Committee Members: Eric Eves, Jessica Foulis, John Helmering, Robb McGuffin, Scott Schlosser, Matt Solomon, Steve Tarrant, Jennifer Thornton, Markian Feduschak (Chairman), Bruce Norring and Caroline Bradford. Motion was seconded and PASSED unanimously.

The next meeting is scheduled for November 16th at the Eagle Town Hall beginning at 6:00 p.m. These meetings are open to the public and everyone is encouraged to attend.

Tom Boni updated the board on the RFQ for design firms. Out of 17 responses, it has been narrowed to seven. An on-site meeting took place on Monday, October 24th and went very well. Applicants will submit their proposals by November 14th. It is hoped to have recommendation before end of year and contract by January. The firm selected will be responsible for facilitating the design process and public engagement. Meetings will be scheduled January – April (approximately) with the goal of having design concept being approved late summer. Construction would be winter 2017 with upland park the following spring/summer.

CONSENT AGENDA *Consent agenda items are routine Town business, items which have received clear direction previously from the board, final land use file documents after the public hearing has been closed, or which do not require board deliberation.*

Minutes – October 11, 2016

MOTION: Trustee Solomon motioned to approve the Consent Agenda. Motion was seconded and PASSED unanimously.

LAND USE

Project: Boyz Toyz Snowmobile/ATV Store (30 Minutes)
File #: SU97 (Amended 2016)
Applicant: Gary Ratkowski

Location: 432 Grand Avenue
Staff Contact: Tom Boni, Town Planner
Request: Special Use Permit to allow continued operation of store/repair facility.

Mayor McKibbin opened this item. Tom Boni noted the applicant was requested to obtain a survey and site plan, before discussing it is requested to allow the applicant representative to give presentation first before continuing with staff review and recommendation. Harvey Robertson presented on behalf of Gary and Stephanie Ratkowski, owners of Boyz Toyz. Conditions requested for modification or removal were the following items:

Condition #1 "The property owner shall apply for and comply with CDOT Access Permit"

We would like to omit this condition per the recommendation of the Department of Community Development (Certificate of Recommendation, dated September 27, 2016, Findings for Special Use Permit, standard #3, Site improvements, Parking & Access.)

Condition #2 "Storage for Vehicles for uses other than display shall be limited to the fenced storage area at the south end of the property"

We would like to omit this condition and allow for temporary storage of vehicles on the east side of the building per the recommendation of the Planning & Zoning Commission. (Certificate of Recommendation, dated September 27, 2016, Planning & Zoning Commission, recommendation #1.)

Condition #5 " Vehicle display shall be limited to eight vehicles with not more than two in the area in front of the building. No display vehicles are to be parked in the five parking spaces located in front of the building."

We would like to modify this requirement to read: "Vehicle display shall be limited to 30 vehicles. No display vehicles are to be parked in the five parking spaces located in front of the building." per the recommendation of the Planning & Zoning Commission. (Certificate of Recommendation, dated September 27, 2016, Planning & Zoning Commission, recommendation #2.)

Condition #6 "a 14' wide signed loading area shall be provided in the drive through area north of the building."

We would like to omit this requirement per the recommendation of the Planning & Zoning Commission. (Certificate of Recommendation, dated September 27, 2016, Planning & Zoning Commission, recommendation #3.)

Off-loading: Boyz Toyz receives approximately 20 tractor-trailer deliveries per year (mostly in the spring and fall), and this activity only takes place during the normal business hours of 7AM to 7PM.

Condition #14 "No additional structures shall be permitted by approval of this amended Special Use Permit"

We would like to amend this requirement to allow the shed with Town of Eagle Compliance per the recommendation of the Planning & Zoning Commission. (Certificate of Recommendation, dated September 27, 2016, Planning & Zoning Commission, recommendation #4.)

Additionally, applicant is requested updating to the following conditions:

Condition #4 "A trash enclosure shall be constructed at the location indicated on the amended site plan."

We would like to omit this requirement for a trash enclosure. It is the standard business practice of Boyz Toyz to not store any trash on the premises, rather to use the disposal service available at the Boyz Toyz off-site storage facility. The collection point (on-site) is designated on the amended site plan and is enclosed in the screened storage yard.

Condition #9 "A new sign is to be constructed for the business that complies with the Town Sign Code."

We would like to modify this requirement to read: "any signage will be in compliance with the Town Sign Code."

Further discussion surrounded noise impacts and washing of vehicles. Studies were presented by applicant showing ATVs and Snowmobiles fall below the decibel thresholds established for nuisances. All washing of vehicles is done off site in an appropriate wash bay. Also provided the public support documents in packet to the board.

Concerns for staff is in regard to private use of a public right of way. There is equipment and storage of materials within the right of way, along with landscaping. It is also used as a temporary loading zone. The building does encroach on it as well. Applicant is not requesting license agreement for the right of way. Continuing enforcement of this would be a requirement of a modified Special Use Permit.

Mayor McKibbin opened this item for public comment.

James Joufflas, Wolcott. Mr. Joufflas stated before Gary and Boyz Toyz, the only place to go for ATV purchase and service was Glenwood or Frisco. It would be a grave mistake to shut him down. We need him. Ranchers depend on him.

Charlotte Nestor, Gypsum. Ms Nestor stated this is the only place we use and we depend on him and what he does for us. It is convenient for residents in this area.

Stacey and Jim Maule, 436 McIntire Street. Live across the street and are the closest residents to this business. Not a single complaint from us in 15 years, no noise issues and consider Gary to be an excellent neighbor. Recently there has been more police enforcement with vehicles that did not happen before. We have had our legally parked and licensed trailer tagged. Boyz Toyz has a lot of support in the community.

Tim Hutchins, 503 McIntire. Has lived here 7 years and never had a complaint about them. Rarely hear them. If you are looking for a machine, you know where they are because of their displays. If you were looking for a car, you would look for a place with cars out front. He's doing a great job.

Steven Andreas, Edwards. I own an ATV and snowmobile rental business. I use Gary to service my machines. Without him I wouldn't be able to survive in this valley.

Kathy Olson, 281 Mesa Drive. Here in support of Boyz Toyz. I am appalled the Town has taken this complaint from one person about the right of way. If you go up and down any street in Eagle or along Highway Six, there is not a single business that is not using the right of way. Across the street there is an old truck and a parking lot built in the right of way. This building has been here for 50 years, why all of a sudden is it encroaching. They are an asset to our community. You need to look at who is complaining and throw out this frivolous issue.

George Foreman, 703 Bull Run. I drive past this business every day. It is a wonderful thing. I don't have any problem with someone loading and unloading vehicles. I like it the way it is.

Mayor McKibbin closed public comment. (7:12 p.m.)

Trustee Jessen stated this is not an enforcement issue, this is a land use issue. The land use needs to reflect what is physically happening and the Special Use Permit needs to be accurate and amended if necessary, so that the complaints cease.

Trustee Jessen inquired about the shed on the property. Tom Boni noted the Planning Commission could issue a variance and a building permit could be obtained.

Trustee Brubeck reiterated that the purpose of this hearing is to address the Special Use Permit and its conditions. The request is to amend those conditions.

Trustee Solomon agreed with Planning and Zoning recommendations.

Trustee Turnipseed asked if the applicant was okay with Planning and Zoning recommendations. The applicant representative indicated they are.

Trustee Solomon suggested the motion to approve SU-97 removing Conditions 1, 2, 4, 5, 6, 9, 13 and 14. Keeping Conditions 3, 7, 8, 10, 11, 12, 15 and 16. The fence will be moved to the lot line and landscaping in the right of way will be maintained.

Ed Sands – a Special Use Permit is in perpetuity. If you want a time duration you will need to specify it. Staff has the right to do inspection whenever they need to.

Trustee Brubeck asked if all improvements will be within the lot lines. What is the time frame for this? Tom Boni indicated compliance is needed within 90 days according to our code.

Tom Boni stated staff's concern is that the existing business does not fit within the boundaries of the private property.

Ed Sands noted that the use is a non-conforming use, which usually applies to zoning issues, not buildings. Because they are encroaching does not give them any right to the property. A license agreement is preferred because that gives them the permission to use it and allows the encroachment.

MOTION: Trustee Solomon motioned to approve SU-97 to keep the following conditions: 1, 3, 7, 8, 10, 12, 15 and 16 and request the fence be moved to the lot line and landscaping be maintained. Motion was seconded.

Trustee Jessen reviewed the conditions to ensure that it accomplishes what the applicant agrees to.

Trustee Turnipseed would like to have the site plan as part of the record which shows the temporary storage and display vehicles.

AMENDED MOTION: Trustee Solomon amended his motion to remove item one and include the site plan as part of the record. Motion was seconded and PASSED unanimously.

CONDITIONS:

- ~~1. The property owner shall apply for and comply with CDOT Access Permit~~
- ~~2. Storage for vehicles for uses other than display shall be limited to the fenced storage area at the south end of the property.~~
3. All screen fencing shall not exceed 6 feet in height and all materials stored within the fence shall not exceed 6 feet in height. Fencing materials shall be cedar or redwood and must create a full screen.
- ~~4. A Trash enclosure shall be constructed at the location indicated on the amended site plan.~~
- ~~5. Vehicle display shall be limited to eight vehicles with not more than two in the area in front of the building. No display vehicles are to be parked in the five parking spaces located in front of the building.~~

- ~~6. A 14 foot wide signed loading area shall be provided in the drive through area north of the building.~~
 7. Parking on McIntire shall be parallel and delineated with landscaping and worked out in a sufficient manner with the Town Engineer.
 8. Landscaping shall be installed and maintained to Town standards, including the grass areas on Town property in the right of way and worked out in a sufficient with the Town Engineer.
 - ~~9. A new sign is to be constructed for the business that complies with the Town Sign Code.~~
 10. The applicant shall provide an approved lighting plan that complies with the Town lighting code.
 - ~~11. The special use permit shall be subject to review upon change of business, or substantial change in ownership of business or the property.~~
 12. On-site improvements shall be completed within 90 days of the approval be the Town Board. If at the end of the 90 days the property is not in compliance with all conditions of approval, the Special Use Permit shall be revoked.
 - ~~13. Applicant shall study the possibility of replacing the fence along the common property line, and if replacement is proposed staff shall review the materials.~~
 - ~~14. No additional structures shall be permitted by approval of this amended Special Use Permit.~~
 15. All testimony, submitted plans, Town Engineer's plans and Town Attorney recommendations will be included as record.
 16. Cartons and Crates for merchandise are not to remain on property for more than 48 hours from time the merchandise is removed from them.
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1. Project: Wall Street Commons (45 minutes)
File #: SU16-03
Applicant: Bryan Desmond
Location: 243 Wall Street
Staff Contact: Tom Boni (Town Planner)
Request: Special Use Permit to allow High Density Residential Building on a lot in the Central Business District.

Trustee Turnipseed stated for the record he would be recusing himself from this application, as he did work for the applicant on this project. Trustee Turnipseed stepped down from the dais.

Tom Boni opened this item and introduced applicant, Bryan Desmond.

Mr. Desmond presented his plan to the Board as outlined in their packets. The requests for the property are 1) Special Use Permit for High Density Multi-Family Dwellings. 2) Variance to rear yard setback and 3) Variance to 300 square feet open space per unit. Project was highlighted for adding affordable housing, down town infill and increasing down town tax base. Project is also requesting variance from the parking requirements and is suggesting use of existing public parking. Parking regulations will be a decision to be made regarding impacts to the neighborhood and if parking requirements impede the ability to do projects in the down town area. Current code requires 34 spaces and applicant is providing 14. Examples were given from other towns and cities where a reduction in the parking requirements has taken place in order to encourage this type of development. Direction is sought from the Board on how to proceed if request is not accepted.

Tom Boni stated current use is single family home and is in the central business district. Commercial limited is the neighborhood.

Mayor McKibbin opened this item for public comment. (8:03 p.m.)

Trever Theilke 190 Palmer Loop. Real estate statistics for Eagle county shows a project similar to this is a great way for people to get in and come into town, prices are now \$500,000 for a single family. This is affordable housing and is on the forefront for the county. A project downtown is something this going to be sustainable and a great project. Overall it is a good project. With the parking issues, would like to see those addressed.

Dan Leary 204 West Third Street. Lived here for 20 years. We all want more affordable housing. The rents are not affordable and no guarantee they won't go up. When he bought the property he rezoned to CBD and I fought it at the time. That gave him more coverage on his lot and more height. Trustees told him not to worry the height would not fit with the neighborhood. It is too dense and no parking on its own lot. It's too many units. A one bedroom gets two cars because two people have to live there to afford it. With a two bedroom you have four cars. There are not enough parking spots downtown. Same thing will happen with other developers and build apartments with limited parking in this area. Now he does not want CBD and wants just residential. They wanted Third Street to be commercial commerce. Traffic issue is also a concern, they do not stop at the stop sign and come off of Highway Six doing 35 miles per hour. CenturyTel also should have to give up their parking lot. The open space is also not adequate. Kids use the street as a park and do not go to the park. There needs to be open space. Being five feet from the neighbors with a 35 foot building and will never see the sun again. No one will control the parking. It will limit parking for downtown business.

Rick walker 319 Wall Street. People already park in front of our homes on weekends. The density is too much and building is too tall.

Linda Miner 50 Bunker Way. Lived here for 15 years. Here as community member and business owner and co-owner of nonprofit that hires young people. There are no places for these people to live. I endorse this project. There are no first time options for people. Housing is unattainable.

Don Christensen 341 Wall Street. We are excited about living down town. In general I believe in walkable communities and increasing density in downtown areas. I want to make sure we make the right decision on the project. We are looking a special use permit that does not have anything to do with the building. We can see the vision he has for this property and that should help make the decision. We should look at past performance. The property there now could be a beautiful historic home, but it is ramshackle, why isn't he keeping it up. This same landlord will be over 18 new properties and see how he currently manages this property. We love the historic properties in Eagle.

Rick Messmer 229 Greenhorn. The purpose for tonight is ground floor residential. That is the applicants request for tonight. We don't need additional commercial you can ask people in every area. We need additional residential. In the residential world multi cannot work right now in today's lending world. Look to the other communities that have shifted downward with parking. Public transportation, walking and biking are viable alternatives.

Dan Leary. Split my time between Eagle and Garfield counties. I live in Glenwood. As to point about public transportation. Eagle county's public transportation is not adequate. Most people drive here. Other locations have better service. Our public transportation is not easy or reliable. When it comes to storing items on property, most of these people will need storage. Balconies and alleys will be used to store bikes, rafts, skis etc.

Kathy Heicher 641 Wall Street. I am speaking for myself living in a historic neighborhood. Third street was a commercial thorough fare, because of the railroad. I think as stewards we need to maintain the historic nature of this neighborhood. This building does not look like a small mountain town.

Kate Kirkman 230 West Third Street. I live in a little cabin formerly from Fulford. We have a great little community. Our parking is often taken by Laughing Buddha. If this development went through I don't think residents would park a block away, they would park on our street instead.

Bill Harris 214 West Third Street. Born and raised in Eagle County. On a ten year cycle it seems we have a housing shortage. Employers don't pay their employees enough to live here. It's pretty much always been that way unless people want to sacrifice. I think downtown should be pedestrian. The reality is these units will have kitchens if you don't have a car to get your grocery you won't need a kitchen. We are talking about reality ideally it would be all foot traffic, but reality is there will be cars you need to consider this and the best use for this small lot. I appreciate you listening to all of this and sacrificing your time.

Paul Witt arrived (8:10 p.m.)

Fred Butler 224 Wall Street. I have a different slant and it has to do with equal protection under zoning laws and ordinances. Reminded of Jim Mines application for the ping property. His property is 8 times larger than this one and he had to reduce his density. His allows for all parking onsite with a little overflow. If you hold Jim Mines feet to the fire on parking and you allow this one, then he will come back and ask for the same consideration from you. To be fair to Mr. Mines and Dan Ritsch for a hotel and he also has on-site parking. Densities for these properties are accommodating their parking. Wendy Sacks also to put in tandem parking spaces to accommodate her onsite parking requirements for the brush creek building. To be fair to them you cannot set a precedent otherwise these people will come back for consideration and Eagle will end up a parking lot. Affordable housing is the other concern has to be habitable housing. These situations create messy problems and require more policing. People are not made to live in such close proximity. Will he allow animals and dogs? Parking for these units will have 1-3 cars per unit.

Terrell Knight 449 Castle Peak Road. My friends live to the north of this property and adjacent to it. They are most impacted by this project. It is in CBD and it will be a large building that is okay. But the parking is actually a reverse and prohibits other buildings from going in and people will not walk that far to go to business. Affordable is needed, this is not the solution. It should take care of its own needs including parking on site. He did reach out to my clients.

Bill Wentworth 224 West Third Street. Directly across from Service Master. It has been said the density no one is against something going in there. Because other places lower their requirements does not mean it is accurate for Eagle. If you have 18 apartments there will be one person in each and probably two. They are not walking to work. They will be driving or taking the bus. They can walk to the bus, but that bus does not go to all places. You are looking at least 2 vehicles per unit. You should not plan on using frontage of someone else's property for your project. When I get home at 5:30 I have to use Broadway instead of third street from Highway Six. Traffic is already a problem and parking is already full at this time for businesses downtown. The density and set back requirements should be looked at and the parking be realistic.

Phil XXX 230 Third Street. We are year round and been here five years. This does not fix affordable housing. This is a common problem people in my age bracket looking for a house, this does not solve housing. I have several employees and they realize after one year after driving to work that this is not affordable. This does not reflect the community we live in.

Shawn Colby 132 West Fourth Street. There is a need for more housing. I don't think Mr. Desmond is trying to ruin this neighborhood. We are going to have to deal with the parking issue. The parking is already spreading off of main street. my main concern is for penny and jack they will be impacted the most. My other concern is the precedent and other developer's ability to build without parking. This decision will affect several others later on.

Penny Olson – this is too dense of a project and it's too tall. Highway Six is my backyard. You cannot sit out there and this will be an additional 40 cars idling in the winter with carbon monoxide and the fumes would be unbearable.

Willy Gray 250 Howard Street. I agree with our applicant that our parking out dated. I have three cars myself. Incrementally we have these requests that we are changing the dynamics into our town and we are turning this community into a parking area.

Kathy Olson 0281 Mesa Drive. This is the first time I've heard of this project. You are putting the cart before the horse. He showed the building he wants to build. The height is ridiculous and belongs in Eagle ranch. Urban community is not what we are here. We are cow town. I moved here to keep it historical and small town.

Mayor closed public comment. (8:44 p.m.)

Trustee Solomon what is allowed without a special use permit. Tom Boni, commercial on ground floor and second floor can be commercial or residential. CBD residential can be on the second floor. A development permit would have to reflect the town's policies in order to build a three story building. It would be a review. Parking is required as part of the development permit.

Trustee Solomon consistency needs to be in our message.

Trustee Jessen at first blush there are enough fatal flaws with this proposal. The consistency and fairness of how we treat these applications. To be clear I do believe we need more density. I would like to see more people walking around downtown. We get into a catch 22 with these requests. We need to strive towards a sustainable downtown. We need to find a way to build sustainable parking. When parking goes into the price tag of the home, it becomes unaffordable. Those that are directly impacted by this project are here, but those voices that would benefit or that need this project are not here.

Trustee Brubeck there is a need for attainable housing. We are really looking for consistency and fairness. We also heard about character of our community. We know it when we see it. We need to complement what we have. I voted against Village Market we have an obligation to protect those that cannot protect themselves. I never want to be that person who has to sacrifice for the greater good. This will create less value for neighbors. Parking is an issue and a fatal flaw. We have cars in this community. I like the idea and it may be in the wrong spot.

Trustee Kerst agree with being consistent. We need to make the package fit for what would be designed to be there. I recall the parking on Broadway decision many years ago and there is a problem with parking today. I'd like to see a master plan for Wall Street so people will know what the plan is and something we can work with. We do realize that density is important.

Mayor McKibbin I don't not have a problem with the request of residential on the first floor. The problem is that if we are doing Special Use Permit now, we are setting in motion the chain of requests going forward. We have a parking issue and a density issue. We are trying to pack too much onto this property. Planning Commission is recommending denying this Special Use Permit. If you accommodate the parking with the density, then you are closer to what belongs there.

Tom Boni clarified the Planning Commission they felt the parking was a problem and recognized that it is the Town Board's purview to ultimately determine that.

Trustee Solomon one of the letters from Matt Farrar compared our parking and we should be working towards higher density. We need to address our own Land Use Codes first before we do variances and we need to be consistent in our message. The project is fantastic but its ahead of its time.

Tom Boni provided the board with their decision options. Approval, Approval with Conditions, Denial and Continuance.

Ed Sands - you could approve the SUP conditioned upon parking compliance with the code and then go to Development Permit. The crux of the SUP is residential on the first floor. You have to make a finding that parking is adequate. With the concern with parking. You can tell the applicant he has to comply with the parking regulations and he would need to come back with Development Permit that complies. Technically he would have get a variance to park on public right of way.

Trustee Witt I am abstaining on comment on the project. As a procedural issue, we are trying to put too many Band-Aids on this and we should deny it and have him come back with an application that better addresses those needs.

John Schneiger I agree with that comment. It does not make sense to continue it when it is so far from what the requirements are for parking. It does seem like an incremental way to get an approval.

Trustee Brubeck - is there any type of state or local requirement for ADA parking within these spaces.

Ed Sands I think there are ADA requirements and you do have to have them on your streets per a standard.

Trustee Brubeck if we require ADA for other projects, then we need to build into our code an allotment for these spaces. That would also impact the number of spaces required.

MOTION: Mayor McKibbin motioned to deny SU-16-03 based upon the reasons discussed. Motion was seconded and PASSED. Vote: Aye: Solomon, Brubeck, Kerst, McKibbin. Nay: Jessen. Abstain: Turnipseed and Witt.

BREAK (9:11 p.m.)

Project: ABDW Studio Apartment (15 minutes)
File #: SU16-04
Applicant: Brad Wright
Location: 801 Chambers Avenue
Staff Contact: Tom Boni (Town Planner)
Request: Special Use Permit to allow addition of a studio apartment to accommodate employees of Alan-Bradley Windows & Doors, Inc.

Tom Boni presented this item. Applicant representative was present. Staff and Planning Commission recommend approval of file number SU16-04 and the additional dwelling unit may be constructed without any limitation on who can live there.

Trustee Solomon acknowledged Jamie Harrison's comments from the P&Z meeting.

Mayor McKibbin opened this item for public comment. There was no public comment.

MOTION: Trustee Solomon motioned to approve SU16-04 without condition on who may live in the apartment. Motion was seconded and PASSED unanimously.

DECISIONS, DISCUSSION OR DIRECTION REQUESTED

2017 Draft Budget Discussion. John Schneiger and Jill Ewing presented budget highlights and items for board consideration and direction.

Trustee Brubeck stated he would like to keep the discussion from the Board at a high level and Board agreed on that approach.

John Schneiger reviewed the strategic plan as a work in progress, focus on human resources and specific goals, review of 2017 capital improvements, building organizational capacity, creating and implementing financial policies.

Big issue for Human Resources is pay plan and health insurance cost sharing. The pay plan may not be ready, however the health insurance cost sharing would need to be approved and take place January 1 or we need to wait until 2018. We have not had an opportunity to talk to the staff regarding this proposal. Would like to request a budget for implementing salary changes at a certain point in 2017 and to consider retroactive or merit increases based upon outcome of pay plan. Current health insurance rates are expected to go up 50% and has increased every year for quite some time. It is a tough thing to change and no one is going to like it.

Trustee Solomon where to do want to set the town in comparison to everyone else. How do we balance this?

Trustee Brubeck discussed acknowledgement of employee's appreciation of costs of benefits and community may not be able to support paying 100% of health insurance.

John Schneiger we are trying to bring our salaries closer to market and who we compete with for employees. We are outside of the norm paying for health insurance. Offsetting this will be wages with the pay plan and implementing a wellness program.

Jill Ewing being partially self-insured allows us to have a wellness program that can offset contributions by employees with participation in a program. Savings to the Town will also include spouses moving to their own employer sponsored plan.

Trustee Turnipseed would like additional information on health costs, with regard to the budget presented revenues and expenditures. Cost sharing was not included in the budget's provided to the board for review. That

was not apparent in the budget for discussion. The Town is a service based and is all employees we don't know what is important to them, what does make us an employer of choice. I don't know that I have enough feedback on that. We have the money and a surplus. You either keep the benefits or give pay raises. I want to understand what all the parts are. Does the budget include the increase in 2017? I would like to know the numbers.

Jill Ewing we will not know until November 10th what the increases are. If employers change nothing, it will be 5.5% from what I see. Going forward we might not be in the financial position to continue providing 100% health coverage for employees and families. A reduction is available for participating in a wellness program. This program would eventually require clinical based testing and would be optional first year. It will give new HR Manager opportunity to implement this program with the staff.

John Schneiger part of hiring a manager is to allow them to bring you suggestions on the work that needs to be done. Previous town board asked for cost sharing. Part of the idea is to look at the savings of the health care and using that and combine with merit increases then you can put that into a pool to use for pay increases. November 8th we could have additional numbers to consider. The people it hurts the worst is a family making \$40K a year.

Trustee Brubeck because of the timing of other enrollments it may be too late. Spouses may have already walked away from their insurance.

Trustee Jessen to maintain 100% coverage it is antiquated system and not sustainable; poor use of public funds and a disincentive to take care of yourself. You never have to think of cost of benefits. Pay plan and health insurance are two different things and they should not be tied together.

Trustee Solomon I'd like to see the balance for cutting benefits and retaining employees.

Trustee Witt if we have a pay plan in place then cost sharing is more acceptable. Single employee might be better positioned to see an increase in their paychecks over that of a family, who ends up paying the most.

MOTION: Mayor McKibbin motioned to continue past 10:00 p.m. Motion was seconded and PASSED unanimously.

Mayor McKibbin to start this small and ramp it up over five years with consideration for adjustments as needed. Setting aside a budget for implementing a pay plan seems to be part of the overall plan for this.

Staff will provide additional information in two weeks regarding health insurance and a pay plan.

Pay plan will need to be reviewed by the Board and decision made regarding what percentage of the market Town of Eagle wishes to fall as employer of choice.

Trustee Brubeck adding funding to the capital funds might benefit us to set aside more during a good economic cycle when we can.

Briefly discussed capital improvements for various town buildings, including the pavilion and information center.

Apportionment of salaries for MEAC budget for special events was discussed.

Staff has done a fee study and included a memorandum from Danielle on street impact fees.

Jill Ewing provide the board with an update on the changes to the budget fund structure and additional funds, reviewed the sales tax capital improvements fund for the Eagle river park and park improvements, general fund

revenue sources, departmental expenditure changes and additional explanation regarding transfers, the EHOP program and community requests. Reviewed increases over 5%.

Discussion regarding change to EHOP program and whether we need to consider tax implications.

Discussion regarding 4th of July celebration taking place in Eagle.

Discussion regarding whether Town Board or MEAC makes decision on Community Requests.

STAFF UPDATES AND REQUESTS

Town Manager Update – John Schneiger stated we have completed interviews for the Human Resources Manager position. Would like to be able to start this position in mid-November, rather than waiting until 2017. The Mountain States contract hours would be reduced and that funding would go towards the permanent position. The Board agreed that the HR Manager could start in 2016 using funding available.

Upcoming Board Meetings and Work Sessions: November 1st Work Session (Water Rates and Fees) at Brush Creek Pavilion 6-8 pm (SGM); November 8th Work Session (2017 Town Budget) at Eagle Town Hall 6-8 pm ; November 15th Regular Town Board Meeting (2017 Budget Public Hearing); November 29th Work Session (2017 Town Budget) at Eagle Town Hall *Tentative*; December 13th Regular Town Board Meeting

BOARD DISCUSSION AND FUTURE AGENDA ITEMS

Mayor’s Update – In Town Manager contract, it states that there are 10 days of paid relocation time to be used by November 15, 2016. It has been requested to modify that date to December 31, 2016. The Board agreed to modify the contract to change that date.

The Mayor stated she and John Schneiger met with Rob Bak regarding the skate park. Rob has been requested to do some additional research and come back next spring with his proposal.

There is a HAATS anniversary and open house next Thursday at their location in Gypsum and everyone is invited.

The Castle Peak Senior Center Open House is next Thursday as well.

Trustee Jessen requested to view a vehicle maintenance schedule and long term plan for capital projects. This would include the Pavilion and the Visitor’s Center.

Additionally, a score sheet used in the past for Open Space rankings would be helpful to prioritize projects additional would like consideration for a full time Open Space Coordinator.

Trustee Jessen would like to see the budget balanced by continuing to focus on marketing and branding events.

ADJOURN (10:58 p.m.)

11/15/2016
Date

Anne McKibbin
Anne McKibbin, Mayor

Jenny Rakow
Jenny Rakow, CMC Town Clerk

