



The Town of Eagle

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Meetings:
2nd and 4th Tuesdays

MINUTES
Town Board of Trustees
Tuesday, February 9, 2016
6:00 P.M.

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

This agenda and the meetings can be viewed at www.townofeagle.org.

Meetings are also aired online at <https://vimeo.com/channels/townofeagle/>.

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 Angela Haskins.

<u>PRESENT</u>	<u>STAFF</u>
Yuri Kostick – Mayor	Jenny Rakow, Interim Town Manager/Town Clerk
Anne McKibbin, Mayor Pro Tem	Ed Sands, Town Attorney
Sarah Baker	Tom Boni, Town Planner
Kevin Brubeck	Matt Farrar, Assistant Town Planner
Andy Jessen	
Geoff Grimmer (arrived at 8:20 p.m.)	
Doug Seabury	

6:00 PM – REGULAR MEETING CALLED TO ORDER

Mayor Kostick called the meeting to order at 6:00 p.m.

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.

David Manzanares 419 Washington Street asked the Town Board about the status of the \$5 flat fee on all purchases at his location. Trustee Sarah Baker agreed that she would like to see this topic on agenda for consideration.

Freddy Modders stated that users of the town's utilities services should only be charged for what they use and not a flat fee. Mr. Modders believes this encourages wasteful use of water and is not fair. Trustee Baker stated the Board can consider this item as a future agenda item if deemed necessary.

PRESENTATIONS

Lot drawing for Candidates on Ballot (Town Clerk)

Jenny Rakow performed lot drawing of candidates for the April 5, 2016 regular municipal election for Trustee candidates. The order for the ballot will be: Kevin Brubeck, Paul Witt, Max Schmidt, Matt Solomon and W. Mikel Pappy Kerst.

Old Town Hall Rental Proposal – Mike Pisciotta is the Court Administrator for the Fifth Judicial District and provided the board with an overview and background regarding his request to use the Old Town Hall space for a youth boxing program. Mr. Pisciotta has managed seven different gyms in South Dakota and Nebraska and is interested in starting one in Eagle County as a diversion program and positive activity for youth and adults. The closest available program of this kind is currently in Clear Creek County. Town Planning Department stated the Town currently requires a Special Use Permit to operate and indoor gym facility, but will be in touch regarding how to assess this current request and any fees involved. The Town Board expressed interest in negotiating a fair rental rate to allow for this type of activity to happen as it is deemed a community service. Mr. Pisciotta assured the board he would have all the Insurance and indemnification requirements for the town and is agreeable to negotiate a rental rate on a short term basis and will consider once the special use permit is addressed.

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 January 26, 2016

Bill Paying and Payroll January 2016

MOTION: Trustee Brubeck motioned to approve the Consent Agenda. Trustee Baker seconded. Motion PASSED unanimously.

EXECUTIVE SESSION Pursuant to C.R.S. §24-6-402(4)(b) to hold a conference with the Town's attorney to receive legal advice on specific legal questions. *(Highway Six Annexation/Devolution.)*

Attorney Ed Sands noted for the record that he will be providing an update on the devolution with CDOT and John Staight will also update the Board on a possible land acquisition. Karen Berdalay was present from CDOT to answer any questions.

MOTION: Trustee Baker motioned to adjourn the regular meeting and enter into Executive Session pursuant to C.R.S. §24-6-402(4)(b) to hold a conference with the Town's attorney to receive legal advice on specific legal questions. Attorney Ed Sands certified for the record that the Executive Session will entail attorney client confidentiality and will not be recorded. Mayor Pro Tem McKibbin seconded. The motion PASSED unanimously.

MOTION: Trustee Baker motioned to adjourn from Executive Session and resume the regular meeting. Mayor Pro tem McKibbin seconded. Motion PASSED unanimously.

MOTION: Trustee Baker motioned to authorize Jenny Rakow as Interim Town Manager to execute purchase agreement for A&R Parcel. Mayo Pro Tem McKibbin seconded. Motion PASSED unanimously.

DISCUSSION, DECISIONS OR DIRECTION REQUESTED

Municipal and Land Use Code Updates (*Town Clerk & Planning Department*) (*Outsourcing municipal code updates was not put in the 2016 budget, however, the necessity of this as a priority remains. Staff is requesting appropriation to use MuniCode to review, update and publish the Eagle Municipal and Land Use Code. Estimated cost not to exceed \$13,500.*)

Jenny Rakow provided information regarding need for Code Book review and updating services. Attorney Ed Sands noted that current code book was done many years ago and no one can recall when it was professionally codified or updated. Manual internal staff updating has been done since that time. Concerns are regarding having an accurate, accessible, searchable and published code book for the public and staff. Trustee Brubeck inquired about the finance background of the company and fees. Jenny Rakow noted that there is a base cost and add-ons for additional services, the \$13,500 encompasses the entire quote, and once involved with vendor the Town can determine what add-ons best suit our needs. The amenity most desired is for on-line hosting of the code book, which many other town utilize MuniCode for. The Board supported moving forward and will address added cost as a supplemental request if needed.

Ballot Initiative Update – (*Tom Boni and Matt Farrar*) Tom Boni and Matt Farrar presented this item. Ken Marchetti was introduced as a consultant who has been working closely with Town staff on addressing the bonding aspect and ballot language specifics for the boards' consideration this evening. Of special note was that the proposed term of 20 years has been increased to 30 years, which allows for more flexibility and increase to the bonding amount to \$5.2 million. Annual payments will be under \$300K per year with option to pay off early without penalty. Current rates for BBB rated bonds is 3.6% and our ceiling for the bond This amount is projected to provide for a contained park with attributes that we feel are necessary for a presentable first phase of this project. The ballot language presented tonight includes the 0.5% that the board was comfortable with and was determined by polling to be acceptable by the public. Ken Marchetti spoke to his assessment and opinion regarding the incremental costs to individual households and believed the \$97 per year figure is actually much lower. Numbers used by Trust for Public Land are appropriate, but conservative using national averages. Ken used factors in determining how much an Eagle household spends locally in tax dollars. The more realistic figures are likely closer to \$30-\$50 per year per household. Based on this alternate model, more than 60% of the sales funding will come from non-residents. The Town Board addressed the first year sales tax ceiling figure and after discussion determined it should be increased to \$549,000. Repayment costs were no to exceed \$9,975,000.00 based upon the 5.1% not to exceed rate.

Resolution 14-2016 A Resolution Calling For The Submission To The Registered Electors Of The Town Of Eagle, Colorado, At The Regular Municipal Election To Be Held On April 5, 2016, The Question Of Increasing The Town's Sales Tax And Issuing Sales Tax Revenue Bonds For The Purposes Specified Herein.

MOTION: Mayor Pro Tem McKibbin motioned to replace Section 2 of Resolution 14-2016 by increasing the first year sales taxes to \$549,000, change date to thirty year term ending on June 30, 2046, increasing Town debt up to \$5,200,000.00 with a repayment cost of not more than \$9,975,000.00 with maturity not later than 30 years. Trustee Jessen seconded. Motion PASSED. Aye: Baker, Jessen, Brubeck, McKibbin, Kostick and Seabury. Abstain: Grimmer.

Ed Sands noted to the Board that now that the Ballot is set Fair Campaign Practices rules apply to board and staff. The Town can pass a resolution in support of the measure and produce factual information regarding pros and cons.

STAFF DISCUSSION ITEMS

Highway Six Annexation Update (*Ed Sands, Tom Boni & Kevin Sharkey*) The Town is continuing to move forward with the annexation.

Recreation Committee (*Board will be asked to determine process for selection of appointees for the Recreation Committee*) The Board agreed that the Recreation Committee will appointed in a formal manner like the MEAC and P&Z. They will be tasked with working on recreation issues throughout town and will be a recommending body to the town trustees. Currently there is no determination on the size of the committee and it is desired to stay flexible with that number until we see how many people are interested in serving. Certain groups are desired to be involved and those were: WECMRD, Town Board, Town P&Z, Town Staff, MEAC, WECMRD, Senior Center, Eagle County School District and possibly someone from Haymeadow.

Town Manager Update – Jenny Rakow updated the town board on the current progress with consultant. First cut of the applicants will be completed via phone interview by end of next week with 15 selections. Next step will be to meet with hiring committee and setting up face to face interviews. Process is staying on target with the timeline. Mick Daly addressed the board regarding his interaction with consultant and expressed that he is impressed with the process she has outlined.

BOARD COMMENTS AND DISCUSSION

Trustee Baker would like to look at water rate tiers to ensure we are consistent with other providers in how we charge for this service.

Trustee Jessen met with Holly Loff and it was suggested to have a worksession with the Watershed Council regarding our River Corridor Plan sometime in March. Staff from each organization will meet first.

Trustee Jessen invited an additional board member to attend VVP economic development meetings held quarterly. Focusing on bringing successful entrepreneurs to the area. "Mountain Entrepreneur Architect" was a concept that is of interest. Mayor Pro Tem McKibbin stated she will attend these meetings as well.

Trustee Jessen brought up the hops on Broadway idea again. Orders for the plants are taking place soon. Andy would put together a proposal. Suggestion was to start a pilot plant in a planters along Broadway and at some point grow them down Broadway they are a Colorado perennial. It could be a good marketing tool.

Trustee Brubeck was supportive of the old town hall use and does have concerns regarding parking downtown.

Trustee Grimmer is meeting with Eagle Valley Middle School students on citizenship and local government and they are talking about where to locate the skate park. Will coordinate with Matt Farrar. Also extend invitation to this group for the recreation committee.

Mayor Kostick noted that the board needs to address the town clerk's performance review.

Mayor Kostick noted a request by Assistant Town Planner Matt Farrar for the down payment assistance program. His is a unique situation because he is building a house and does not have a mortgage per se to apply for this program. He would like to utilize the program and the Mayor would like us to work with creating an accommodation. He would like a commitment from the program since the funds are currently limited.

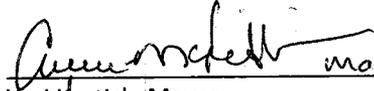
FUTURE AGENDA ITEMS

1. Marijuana
2. Worksession with Watershed Council – March

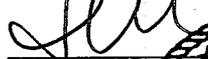
ADJOURN

MOTION: Mayor Pro Tem McKibbin motioned to adjourn. Trustee Baker seconded. Motion PASSED unanimously.

Feb 23, 2016
Date



Yuri Kostick, Mayor



Jenny Rakow, CMC Town Clerk

