



The Town of Eagle

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Meetings:
2nd and 4th Tuesdays

MINUTES Town Board of Trustees Tuesday, April 12, 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
Andy Jessen	Tom Boni, Town Planner
Doug Seabury	Matt Farrar, Assistant Town Planner
Geoff Grimmer	Kevin Sharkey, Assistant Engineer
Kevin Brubeck	John Staight, Open Space Coordinator

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.

Steve Casey from Holy Cross Energy presented the Town of Eagle with the Community Enhancement Fund check in the amount of \$41,664.00 which represents a 1% return on amount collected for energy use.

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 – March 22, 2016

Bill Paying and Payroll for March 2016

Trustee Brubeck noted correct to minutes to include board member Grimmer as present.

MOTION: Trustee Brubeck motioned to approve Consent Agenda with correction noted. Motion was seconded and PASSED unanimously.

DISCUSSION, DECISIONS OR DIRECTION REQUESTED

JHY Property

Resolution 18 – 2016 A Resolution Of The Board Of Trustees Town Of Eagle, Colorado Approving An Agreement Concerning Reimbursement Of Costs With Brue Capital Partners, LLC

Agreement Concerning Reimbursement of Costs with Brue Capital Partners LLC (JHY Property, Tom Boni, Town Planner)

Tom Boni stated staff is requested approval of the Resolution to allow recapture of reimbursable expenses on the JHY project, which may include engineering and legal.

MOTION: Trustee McKibbin motioned to approve Resolution 18-2016. Motioned was seconded and PASSED unanimously.

Resolution 17 – 2016 A Resolution Of The Board Of Trustees Of The Town Of Eagle, Colorado Supporting The Grant Application For A Local Parks And Outdoor Recreation Grant From The State Board Of The Great Outdoors Colorado Trust Fund And The Completion Of Eagle Valley Elementary School IB And Community Play Yard (Eagle Valley Elementary and GOCO Grant Request for additional In-Kind Services in 2017, MOU and Resolution in Support to obtain grant. Town of Eagle is submitting this on behalf of the School.)

Tiffany Dougherty, Principal of Eagle Valley Middle School was present for this item. Parents and students presented their ideas for the grant on design of the new playground. Requesting Town support via Resolution and MOU. Town is applying for the grant on behalf of the school. Tiffany also requested the Town to consider in-kind donation and support. The Town will consider those options and any budget implications for 2017.

MOTION: Trustee McKibbin motioned to approve Resolution 17-2016 with a change to Section #4 of the MOU to be approved by the Town Attorney prior to Mayor's signature. Motion was seconded and PASSED unanimously.

Recommendation of Award - Wall Street Water Main Replacement (Deron Dircksen, Assistant Town Engineer)

Dusty Walls Public Works Direction was present on behalf of Deron Dircksen. Mr. Walls stated the bid is straightforward and staff is looking for approval of the bid. This will replace the last of the steel line in town and is a four inch line.

MOTION: Trustee Brubeck motioned to approve the Award to Schofield Excavation, Inc. in the amount of \$143,687.35.

A&R Property Purchase

Resolution 19 – 2016 A Resolution Of The Board Of Trustees Town Of Eagle, Colorado Approving A Contract For The Purchase Of Property From A & R Investment Company, A Colorado Limited Liability Company.

Resolution 20-2016 A Resolution Of The Board Of Trustees Town Of Eagle, Colorado Approving An Intergovernmental Agreement Between Eagle County, Colorado And The Town Of Eagle, Colorado For Acquisition, Preservation And Management Of The A & R Investment Property.

Resolution 21-2016 A Resolution Of The Board Of Trustees Town Of Eagle, Colorado Approving An Agreement Between The Town Of Eagle, Colorado And The Eagle Ranch Association For The Acquisition, Preservation And Management Of The A & R Investment Property.

Contract for Purchase and Sale of Property *(Previously executed)*

IGA With Eagle County for Acquisition, Preservation and Management of the A&R Investment Property Agreement Between Town of Eagle and The Eagle Ranch Association for Acquisition, Preservation and Management of the A&R Investment Property

John Staight was present for this item. The Resolutions being asked for approval are to ratify and put in place agreements outlining the acquisition costs, preservation of conservation easement, management and access of the A&R Property with Eagle County and Eagle Ranch. Black Hills Project was discussed, Ed Sands stated current owners and purchase agreement does address the pipeline. Also discussed was renaming the property after purchase is finalized.

MOTION: Trustee McKibbin motioned to approve Resolution 19-2016, Resolution 20-2016 and Resolution 21-2016. Motion was seconded and PASSED unanimously.

Ordinance 11 Series 2016 An Ordinance Of The Town Of Eagle, Colorado Amending Section 2.04.013 Of The Eagle Municipal Code And Subsection (E) Of Section 2.04.035 Of The Eagle Municipal Code Concerning The Compensation To Be Paid To Members Of The Board Of Trustees And To The Mayor Of The Town Of Eagle *(It was discovered during review of Code Book this increase was not official adopted by Ordinance, although it was approved in a public meeting and budgeted to begin in April 2008.)*

MOTION: Trustee McKibbin motioned to pass Ordinance 11-2016. Motion was seconded and PASSED unanimously.

Town Manager Employment Offer

A brief synopsis of process to reach this point was provided by Mayor Kostick. Board members who participated in the process, staff, consultants and public member Mick Daly made their finalist recommendations to the Board. In the interest of keeping the process moving and the candidates interested, it is being proposed to begin the negotiating process a preferred candidate so their appointment and start date can begin. A draft contract has been started and will continue in a draft form with a formal presentation for adoption by the new board. This is not a selection, but a named candidate for new board to address more concrete terms.

Public comment:

Mick Daly was questioning what purpose of naming a preferred finalist at this point will do.

Paul Witt asked board not to name a preferred finalist and to leave it up to the new board.

Board members iterated they believed this would clearly state the board's endorsement and serves to conclude their participation in the process by giving its input for consideration. They also felt it was critically important to send a positive message to these candidates that we are continuing the process. The perception could be considered to have been promoted ungraciously with media coverage and the Town should do it's best to uphold the integrity of the process and complete its duty. Staff considerations are also relevant in this decision, as extending the deadline only continues to postpone this new leadership for them and may only serve to stall. The new board on April 26th can choose to do whatever it wants with the recommendation and does not have to accept what is being offered as the committee finalists with this endorsement. This not dismiss the second finalist as they are both excellent, qualified and suitable for the position.

Ed Sands stated negotiations can continue and an endorsement or recommendation is not legally binding.

Trustee McKibbin stated for the record the Board is continuing its conversations and negotiations with John Schneider for the position. This is no way dismisses the second candidate or eliminate him from the process until an agreement has been reached. The proposed contract will be the board packets as a work product for review.

BREAK: Mayor Kostick called a break at 7:30 p.m. Meeting resumed at 7:40 p.m.

LAND USE

Project:	Second Street Suites Hotel
File #:	DR15-05
Applicant:	Daniel Ritsch (Wall Street Family Partners, LLC)
Location:	120 Second Street & 214 Wall Street
Staff Contact:	Tom Boni (Town Planner)
Request:	Major Development Plan review of a 23-unit boutique hotel. <i>Applicant requests continuance</i>

Project:	Second Street Suites Hotel
File #:	MS15-02
Applicant:	Daniel Ritsch (Wall Street Family Partners, LLC)
Location:	120 Second Street & 214 Wall Street
Staff Contact:	Tom Boni (Town Planner)
Request:	Minor Subdivision to consolidate two tax lots into one larger lot. <i>Applicant requests continuance</i>

MOTION: Trustee Motioned to Continue File #DR15-05 and File #MS15-02 until the May 24th Town Board Meeting. Motion was seconded and PASSED unanimously.

STAFF UPDATES AND REQUESTS

Worksession for New Board Members *(Would like to have worksession to update on current projects, issues and updates for transition. Also discuss orientation and board retreat ideas and timing)*

Worksession will be held on Wednesday, April 20th from 4-6 p.m. New Board Members, Current Board Members, P&Z will be invited. Town staff will provide incoming board to get up to speed and provide transition.

Direct Report Appointments (*Discussion on Appointments of Town Manager, Clerk, Treasurer and Judge*)
Timing of appointments will be planned for first meeting in May. Clerk review was completed and additional appointees will also have reviews completed in the timeframe needed for appointments.

Eagle County Climate Action Plan (*Update by Anne McKibbin*)

Trustee McKibbin asked the board to provide feedback on what Eagle can do to meet climate actions goals and sustainability set by this this group.

Election Results and Next Steps (*Clerk Memo*) No Discussion.

Eagle Visitor Center Update (*Information only, however please note increases*) No Discussion

Submission of Town of Eagle – River Corridor Plan to the APA Colorado 2016 Chapter Awards Nomination (*Matt Farrar*) No Discussion

Vail Valley Partnership Success Awards (*Discuss table options for the event – Finalist for Innovation in Local Government for Single Track Sidewalks and Amy Cassidy finalist for Tourism Professional of the Year*)

Board agreed individually to support purchase of table. A reminder and RSVP will be sent out to confirm attendees.

Black Hills Energy Update

Kevin Sharkey stated he is working on the permit process. Also participating is Eagle Ranch Metro and HOA regarding conditions and discussions regarding easements. Additional meetings and updates are forthcoming.

Town Personnel Policies Update (*Task list update from Clerk specific questions can be asked and staff can prepare responses.*)

Town Clerk Jenny Rakow briefed the Board on current Human Resources related projects and issues being dealt with. Working with Consultants and Finance Director on best practices and implementing changes to our policies and structure. The changes are necessary and may be difficult, but is priority as a fiduciary duty to citizens.

Sales Tax Brief Update (*Due to Clerk schedule, only raw data available but its good news!*)

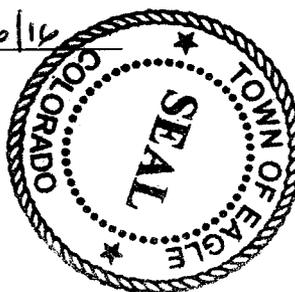
FUTURE AGENDA ITEMS

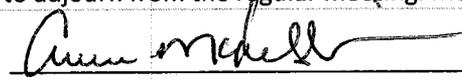
Board Retreat Dates and Topics

ADJOURN (9:27 pm)

MOTION: Trustee McKibbin motioned to adjourn from the regular meeting. Motion was seconded and PASSED unanimously.

4/26/16
Date




Anne McKibbin, Mayor


Jenny Rakow, CMC Town Clerk