



Gypsum Town Council  
02/26/2019

- PRESENT:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem.
- STAFF:** Cindy Schwartz, Mark Silverthorn, Jeff Shreeve, Lana Bryce, Jim Hancock, Bob Cole and Lily Ludewig.
- ABSENT:** Mayor Carver
- AUDIENCE:** Heath Mosness, Linda Tillson, Lawrence Tillson, Darryl Lundholm, Nicole Scheiblberg, Tegan Davis, Tom and Sue Brandl, Terrill Knight, Susie Keysor, David Proctor, Bart & Mary Ewing, Mason E. and Chris Fedrizzi.

## **MEETING CALLED TO ORDER-PLEDGE OF ALLEGIANCE**

### **CONSENT AGENDA**

Bill Pay

02-26-19.pdf

February 12, 2019 Minutes

021219.docx

Council Tom Edwards, Mayor Pro Tem made a motion to Approve the Consent Agenda.

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver.

### **CITIZENS BEFORE COUNCIL**

Eagle Valley Library District  
Library District Update  
\* Presented by: Linda Tillson

Linda Tillson, Director of Eagle Valley Library District. Avon, Eagle & Gypsum; their service area is for most of Eagle County with exception of the places that have their own libraries, which is Vail, Basalt & El Jebel. Board members: Ruth Powers, Adina Dean, Kim Nelson, Rebecca Larson and Nancy Shane and they are appointed by the County Commissioners.

In 2017 they had 317,000 visits. Still working on 2018 numbers.

They do a lot of children programs.

Nice collection of print materials (147,000 items)

Electronic books and books on CD's are very popular also. Customers can book a librarian to assist with devices.

370 children programs in Gypsum only.

Partner with the Town on different events (Eggstravaganza, Home for the holidays, etc.) and also partner with other entities.

Computer classes, online and technology, among other services offered.

The Gypsum library had 75,000 people in 2018 and a lot updates have been done.

Literacy projects English/Spanish.

They also started circulating and checking out things besides books, started doing a park pass. State of CO park pass.

Evld.org for newsletter subscriptions.

## **ORDINANCES AND RESOLUTIONS**

Resolution No. 09 (Series 2019) A Resolution Approving a Carriage Agreement between C.M. Stremme Gates Water Rights Owners and Eagle Rocks Aggregate, Inc. (First Reading)

\*Presented by Chris Fedrizzi

TC Report 022619 Carriage Agreement.docx

Tower Pit Stremme-Gates TOG Request.docx

CARRIAGE AGREEMENT 02-21-19 Town CLN.docx

Carriage Agreement- EX A 2019-02-21\_.pdf

Resolution 2019-9 Carriage Agreement.docx

Chris Fedrizzi. This agreement has come in part as a temporary agreement. In the process of having this agreement done.

ERA, Inc. intends to install an augmented commercial well that will be a year round legal source of water. The process to obtain approval for a commercial well takes from 18 months to 2 years.

Pay for half the average maintenance for the ditch every year.

Lana anticipates this to go on for summer of 2019 and possibly 2020. Payments that Chris will be making towards the ditch company maintenance operations to reduce the amount those operators will have to pay annually for their shares.

ERA, Inc. to pay \$2500 on March 15<sup>th</sup>.- the Stremme-Gates Ditch Operation up front to start each calendar year (2019 & 2020). The amount of labor and equipment that ERA, Inc. provides for this ditch maintenance will be invoiced and the total will be credited to the overall \$7500 annual fee for use of the ditch.

They did write on the agreement, not all parties signed but still allows Chris to move forward –as long as he doesn't make any modifications to the ditch- he wouldn't need permission from owners but to be transparent, they have sent this out to everybody.

They will be buying water from the Colorado River District so they would be using the ditch for carriage. Council Tom Edwards questions if any limitations to this. Yes, it's only written to go to 2020.

Council Member Chris Estes made a motion to Approve Resolution No. 09 (Series 2019) A Resolution Approving a Carriage Agreement between C.M. Stremme Gates Water Rights Owners and Eagle Rocks Aggregate, Inc. (First Reading).

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver.

Resolution No. 10 (Series 2019) A Resolution of the Town of Gypsum, Colorado, Approving the Fourth Amendment to the Annexation Agreement with Remington Ranch  
\*Presented by Terrill Knight

TC Report 022619 Fourth Amend to Annex.docx

Fourth Amendment to Annexation Agreement - 02-06-19 draft PMNrl.docx

Resolution\_2019\_Fourth\_Amendment (2).docx

Remington Ranch Extension Letter 020819.pdf

Terrill Knight - No immediate plan for anything.

They are requesting an extension for this plan for another 3 years. His current extension doesn't expire until May of this year.

This request has been sent to Kevin Patrick for review, because it is 10 years old, to make sure water fees in the original annexation agreement reflect current market values.

Kevin Patrick made some adjustments from \$8,000 to \$10,000 x acre foot and Terrill Knight agreed with that.

Council Member Marisa Sato moved to Approve Resolution No. 10 (Series 2019) A Resolution of the Town of Gypsum, Colorado, Approving the Fourth Amendment to the Annexation Agreement with Remington Ranch.

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor

Ordinance No. 1 (Series 2019) To repeal and Readopt Section 5 of Title 10.01.020 Subsections (9) and (11) regarding on street parking. (Second Reading)  
\*Presented by Cindy Schwartz

Staff Report for 2-26-19.pdf

Clean copy of Ordinance 01 (Series 2019).docx.pdf

Open to the public

Tom Brandl - Asking for street parking enforcement during day time.

Council Tom Edwards mentioned council will take it into consideration.

More control from the Sheriff's office.

1st violation - warning

2nd – ticket being issued by the Eagle County Sheriff's office

3rd. – Immediate tow at owner's expense

4th. violation of the parking restrictions, may result in a summons to court.

Closed to the public

Cindy - formatting changes for the council to review.

This ordinance has been reviewed by Bob Cole.

Language correction also.

Red line changes - Title 10

Fine has been added if we have to make an extra trip, trash at \$25.

Items in red are 1st. Reading / Items in blue are for the Second Reading.

Input from Heath - If they don't pay having the ability to tow these cars it might help.

Council Member Chris Huffman made a motion to Approve Ordinance No. 1 (Series 2019) To repeal and Readopt Section 5 of Title 10.01.020 Subsections (9) and (11) regarding on street parking. (Second Reading)

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver.

Ordinance No. 04 (Series 2019) An Ordinance Repealing and Readopting Section 8.07.010 Regarding the Definition of Tobacco Products (First Reading)

\*Presented by Heath Mosness

Ordinance 2019-04 Tobacco Definition.docx

Background provided by Heath.

Update definition of tobacco to include all these new forms of tobacco. Back in the days, all different tobacco products and devices that are out there today, did not exist, vaping, e-cigarettes.

New language to be re-adopted is being requested.

School does a good job catching kids using these products (vaping, etc.)

Council Member Marisa Sato made a motion to Approve Ordinance No. 04 (Series 2019) An Ordinance Repealing and Readopting Section 8.07.010 Regarding the Definition of Tobacco Products (First Reading)

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor.

## **OTHER ITEMS**

Prepared by:

Danette Schlegel, CMC

Town Clerk

Darryl Lundholm quickly introduced himself as the newly elected president of the Eagle Rod & Gun Club.

#### MASTER SITE PLAN DESIGN PROPOSAL FOR "THE FRONT DOOR" AREA PARAGON PHASE I DESIGN CONTRACT

\*Presented by Jim Hancock

Shop Hop - Phase I Master Site Plan The Front Door.pdf

Proposal from Paragon Solutions is included in the packet, which is the designed team that Terri Marcum has used for his stores.

They are looking into explore multiple site layouts up to 3 changes.

Price would be split between the Town and Terri (50%)

There is money budgeted for grants. Put that money towards this (\$60,000) and/or other things that the Town would need to do to get this property ready for development/sale, etc.

Looking for approval to redirect these funds away from the grants and use them for the front door project.

#### Council Member Chris Huffman made a motion to Approve MASTER SITE PLAN DESIGN PROPOSAL FOR "THE FRONT DOOR" AREA PARAGON PHASE I DESIGN CONTRACT

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor.

#### ECONICS UTILITY SYSTEM FINANCING AND RATE SETTING SOFTWARE PURCHASE RECOMMENDATION

\*Presented by Jim Hancock

QUOTE\_WaterWorth 2019\_Gypsum CO 001 (20 Feb 2019).pdf

In the budget for 2019 –there is an item there under sewer master plan- doing a rate study.

Econics firm –Engineering consulting in Canada, specializes in doing rates studies.

Product is pretty amazing and applications that you can easily generate reports and graphics.

The proposal would include technical support. Purchase 1 module (sewer) and technical support.

Very efficient company that fulfill Town's expectations; seems real flexible.

Doing same thing for water master planning.

Request – Foregoing hiring the consult to purchase this software and try it out for a year.

\$40,000 for this study.

#### Council Member Chris Estes made a motion to Approve ECONICS UTILITY SYSTEM FINANCING AND RATE SETTING SOFTWARE PURCHASE RECOMMENDATION

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver.

PRESENTATION OF BIDS FOR THE COOLEY MESA/VALLEY ROAD ROUNDABOUT PROJECT AND APPROVAL OF CONTRACTOR SELECTION

\*Presented by Jerry Law

02262019 Bid Sheet 2019 ROUNDABOUT- Bid Results, For TC packet- 3 pages.pdf

Had a group full of qualified bidders on Feb. 4<sup>th</sup>.  
Water line was not needed; took that out.  
Streetlights reduced from 8 to 5.  
Jeremy has been working with some fiber companies.  
Immediate approval not necessary right now, for landscaping.  
Lana will put a summary for landscaping options, on next agenda  
We are \$200,000 below engineering estimates for this project.  
Bottom line for the first motion is approval of contractor selection.  
\$1,742.743.28 bid approved.

Council Member Chris Estes made a motion to accept bid for \$1,742.743.28 FOR THE COOLEY MESA/VALLEY ROAD ROUNDABOUT PROJECT AND APPROVAL OF CONTRACTOR SELECTION

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor.

Second motion is for approval of the Holy Cross Energy Contract and Easement Agreement.

Council Member Chris Estes made a motion to Approve the HOLY CROSS ENERGY AND EASEMENT AGREEMENT.

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor.

Gypsum Recreation Committee

\*Presented by Lana Bryce

March 2018 Council revised the bylaws and increased the committee members from 7 to 8 positions. Also changed all positions to 4 year terms.  
3 resignations and need 3 positions appointed to.  
In 2018 at the 5 year plan, \$50,000 were approved for Broken Bridge improvements and \$250,000 for Camping projects.  
This committee has not met since October 15, 2018.  
Should the committee continue to exist?  
Lana is willing to continue with scheduling meetings, send out reminders and help getting the agenda together.  
Lana is looking for some directions on this and willing to advertise more positions, coordinate meetings, etc.

Council Pam Schultz would like to keep the committee going active.

Council Marisa Sato mentioned that Rec committee members spent a lot of time into this committee but budget was an issue, especially for big projects. If we are going to keep this committee we need to have concise direction of what are we going to do, what the purpose is, etc. Feels like we are underutilizing time on this. Council member Chris Huffman suggests to bring that study back. Committee should bring stuff in need to us that we are unaware of. Maybe they need to meet a couple of times a year.

**REQUEST APPROVAL OF CHANGE ORDER 01 TO MOSHER SPRINGS HYDROELECTRIC FACILITY CONTRACT WITH GOULD CONSTRUCTION INC.**

\*Presented by Jim Hancock

T&M - Wall Demolition.pdf

Field Report 02.01.2019.pdf

For details, Zancanella's report is included in the packet. Now that the work has been done, Jim brings to the Council's attention, the invoice for payment, for their signature that is included in Bill Pay.

**NOTICE OF PENDING CAPITAL EXPENSE FOR GYPSUM RECREATION CENTER POOL SLIDE REPAIRS**

Ruff Slide Memo.pdf

Slide Bids.pdf

Found some local contractor to do steel work. Better product, more durable and thicker so water will not be trapped on the stairs or slippery surfaces. The original quote was \$100,000 for the whole package. We have an agreement with Mountain Recreation for capital expense that is beyond the usual capital expense, so they are responsible for maintaining the working operations; we own the building. We have to put \$50K for this year. According to agreement, anticipate an amount of \$50K but that is subject to change. Both Boards have to approve the expenditure, so Jim is asking for approval from the Capital Reserve account for not more than \$50,000.-

Council Member Chris Huffman made a motion to Approve (\$49,329) NOTICE OF PENDING CAPITAL EXPENSE FOR GYPSUM RECREATION CENTER POOL SLIDE REPAIRS.

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver. All in favor.

Misc. - Big pot holes in Cooley Mesa that have been fixed (3) in that intersection. Visionary called Council Chris Huffman. Broadband getting ready to for tower installation for the Gun Club. Post office parking issues, not enough boxes either. They are currently leasing; no interest in buying.

EXECUTIVE SESSION PURSUANT TO 24-6-402(4) (B) AND (E), C.R.S.

**MAYOR AND TOWN COUNCIL**

**STAFF REPORTS**

Town Managers Report

2.26 Mgrs..docx

Finance Officer's Report

022619.pdf

Planning Report

022619.docx

Human Resources Director's Report

February 26 Report to Council.pdf

Engineering Staff Report

02262019 Engineer Update (2).pdf

Field Report 02.15.2019.pdf

Sheriff's Report for January

January stats 19.pdf

Gypsum January report 2019.doc

**CORRESPONDENCE**

Visionary Thank you

Visionary Thank you.pdf

Bravo Thank you

Bravo Thank you.pdf

Carpenter's Ball Invitation

Carpenter's Ball.pdf



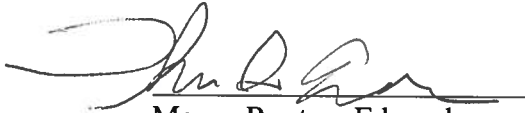
**ADJOURN**


**EXECUTIVE SESSION PURSUANT TO 24-6-402(4) (B) AND (E), C.R.S.**

Bob Cole suggests to modify it and make it to 24-6-402(4)(B) and not (E) for purposes of discussing litigation with Eagle Valley Clean Energy and Clear Water Ventures.

Council Member Tom Edwards, Mayor Pro Tem moved to Adjourn EXECUTIVE SESSION PURSUANT TO 24-6-402(4) (B), C.R.S. .

After consideration, the motion passed by the following vote: **AYES:** Chris Estes, Chris Huffman, Karen Sheaffer, Marisa Sato, Pam Schultz and Tom Edwards, Mayor Pro Tem. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** Mayor Carver.

  
\_\_\_\_\_  
Mayor Pro tem Edwards

  
Danette Schlegel, CMC  
Town Clerk





**TOWN OF GYPSUM  
TOWN COUNCIL MEETING  
Tuesday, March 12, 2019  
Meeting Starts @ 7:00 PM.  
50 Lundgren Blvd.  
Gypsum, CO 81637**

**NOTICE TO READERS:** Town Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the Council's part as issues have been discussed by the Council in workshop or committee meetings which are open to the public.

**PUBLIC INVITED TO BE HEARD:** The Public will be limited to three minutes each unless prior arrangements have been made with the Town Manager. The Town Council may not respond to your comments of this evening, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up.

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**MEETING CALLED TO ORDER-PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Minutes  
02-26-19

Bill Pay

**LIQUOR LICENSE AUTHORITY**

Kum & Go Modifications of Premises Fermented Malt Beverage License.

**CITIZENS BEFORE COUNCIL**

Dry Lake Motocross Park 2019 Status/Planning  
\*Presented by Rocky Mountain Sports Riders. Mitch Hayne

**ORDINANCES AND RESOLUTIONS**

RESOLUTION NO. 11 (SERIES 2019) A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, APPROVING THE EXPENDITURE OF COMMUNITY ENHANCEMENT FUNDS FROM HOLY CROSS ENERGY IN ACCORDANCE WITH ARTICLE 11, TOWN OF GYPSUM, ORDINANCE NO. 11 (SERIES 2017).  
\*Presented by Jim Hancock

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Resolution No. 12 (Series 2019) A Resolution Accepting the Dedication of Public Improvements from the Eagle County School District RE-50J for Valley Road

\*Presented by Lana Bryce

Resolution No. 13 (Series 2019) A Resolution Accepting the Dedication of Public Improvements from the Eagle County School District RE-50J for Red Canyon Campus West Facility

\*Presented by Lana Bryce

Resolution No. 14 (Series 2019) A Resolution Approving Filing III Final Plat of the Hawks Nest Subdivision of Buckhorn Valley

\*Presented by John Hill

\*Public Comment

Resolution No. 15 (Series 2019) A Resolution Approving the IK Bar Final Plat and First Amendment to the Subdivision Improvement Agreement

\*Presented by Tom Braun and Emily Peyton

\*Presented by Cindy Schwartz

\*Public Comment

Ordinance No. 04 (Series 2019) An Ordinance Repealing and Readopting Section 8.07.010 Regarding the Definition of Tobacco Products (Second Reading)

\*Presented by Heath Mosness or Lana Bryce

\*Public Comment

ORDINANCE 05 (Series 2019) First Reading

AN ORDINANCE TO TRANSFER UNENCUMBERED APPROPRIATIONS OF THE TOWN OF GYPSUM, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2019, AND ENDING ON THE LAST DAY OF DECEMBER, 2019.

### **OTHER ITEMS**

Roundabout Landscaping

\*Presented by Lana Bryce

License Agreement with Nettie May Reynolds

\*Presented by Lana Bryce

REQUEST APPROVAL OF CHANGE ORDER 02 TO MOSHER SPRINGS HYDROELECTRIC FACILITY CONTRACT WITH GOULD CONSTRUCTION INC.

\*Presented by Jim Hancock

### **MAYOR AND TOWN COUNCIL**

### **STAFF REPORTS**

NOTICE TO READERS: Town Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the Council's part as issues have been discussed by the Council in workshop or committee meetings which are open to the public.

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Town Manager's Report

Finance Officers Report

Planning Report

Engineering Staff Report

Sheriff Report

### **CORRESPONDENCE**

### **ADJOURN**

Persons with disabilities needing auxiliary aids may request assistance by contacting Danette Schlegel at the Gypsum Town Hall, 50 Lundgren Blvd. PO Box 130, Gypsum, Colorado 81637, or by calling (970) 524-7514 during business hours. We would appreciate you contacting us at least 24 hours in advance of the scheduled meeting so that arrangements can be made to locate the requested auxiliary aid.

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior said meeting.

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Danette Schlegel, Town Clerk

PUBLIC INVITED TO BE HEARD: The Public will be limited to three minutes each unless prior arrangements have been made with the Town Manager. The Town Council may not respond to your comments of this evening, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up.

Ordinances scheduled on the meeting agenda for consideration by the Town Council are listed below. Copies of the full text of the ordinances are available from the Town Clerk and, if approved, following the meeting on the Town's Website at:

<http://townofgypsum.com/departments/town-council>

Ordinance No. 04 (Series 2019) An Ordinance Repealing and Readopting Section 8.07.010 Regarding the Definition of Tobacco Products (Second Reading)

\*Presented by Heath Mosness or Lana Bryce

\*Public Comment

ORDINANCE 05 (Series 2019) First Reading

AN ORDINANCE TO TRANSFER UNENCUMBERED APPROPRIATIONS OF THE TOWN OF GYPSUM, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2019, AND ENDING ON THE LAST DAY OF DECEMBER, 2019.

Please PRINT your name **legibly** for the record of the March 12<sup>th</sup>, 2019 Town Council Meeting. Thank you!

NAME	ADDRESS	PHONE NUMBER	TOPIC TO BE DISCUSSED; or NOT APPLICABLE
Chris Meister	291 Black Bear	390-6131	N/A
Heath Mosness			
Heath Mosness	145 Whitetail Dr	970-524-2003	
John Hill	29 W. 4th Ave	970-470-2057	HWKCS #3
GUSIE KEYSAR	GYPSUM	N/A	N/A
Judith Rojas			
Elyse Howard	3114 Bellflower	376-5590	
Emil Peyton		317-699-6797	
Michael Mayne	95 Big Sage Ct, Eagle	303-443-0076	RMSR
Bob Egan	731 Bull Run Eagle	970-328-6643	RMSR

