



## TOWN BOARD REGULAR MEETING

224 First Street, Eaton, CO

Thursday, May 18, 2023, 7:00 P.M.

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### MINUTES

#### CALL TO ORDER

*Mayor Moser called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.*

#### ROLL CALL

**BOARD PRESENT** Mayor Scott Moser Mayor Pro Tem Liz Heid Trustee Karla Winter  
Trustee Nina Lewis Trustee Glenn Ledall Trustee Lee Griffith Trustee Coby Gentry (Arrived @ 7:02 pm)

**BOARD ABSENT** None

**STAFF PRESENT:** Interim Town Administrator - Wesley LaVanchy, Town Attorney - Avi Rocklin, Assistant Administrator - Greg Brinck, Financial Director - Faith Smith, Police Sergeant – Matt Rundle, and Northern Engineering – Brad Curtis

#### AGENDA APPROVAL / AMENDMENT(S)

*Mayor Pro Tem Heid moved to approve the agenda as is.*

Trustee Griffith seconded, and the motion passed unanimously, 5-0. (Before the arrival of Trustee Gentry.)

#### PROCLAMATION

##### 1. May 2023 Mental Health Month – North Range Behavioral Health Director of IT, Roy True

Roy True stated that May is Mental Health Month and thanked the Trustees for the recognition and partnership with North Range in the crisis services and with our co-responder action plan. Also, have a partnership with Eaton PD and the Eaton School District. Mental health is as important as physical health.

The Board of Trustees and Mayor Moser read the proclamation aloud to raise awareness about behavioral health, recovery and hope, the importance of prevention, and the factors that contribute to mental wellness. Mayor Moser proclaimed May 2023 as Mental Health Month.

#### PUBLIC COMMENT

*Mayor Moser opened the floor for public comment at 7:05 p.m.*

Chad Rexius spoke to traffic on CR 39 from CR 74 to CR 78, re-routing trucks, or lower speed limit.

John Ryan spoke to CR 39 road needing to be repaired, large potholes and main concern is safety.

Ann Aron spoke to a grave concern of safety and quality of life diminished due to loud trucks on CR 39.

Wesley LaVanchy, ITA stated that he reached out to Omaha Track which has been working on an improvement agreement with the county that will impact the intersection of CR 74/CR 39 and re-routing for their trucks, to head to HWY 85 or head east. Omaha Track will have a conversation with Liberty Trucking about routing, while hauling sand to an oil site.

*Mayor Moser closed the floor for public comment at 7:14 p.m.*

#### CONSENT AGENDA

2. Minutes – April 20, 2023, Regular Board Meeting
3. Accounts Payable Invoice History Report – April 2023
4. Financial Statements – March 2023
5. Treasurer Report – March 2023
6. Endorsement Form for Liz Heid for Nomination to CML's Executive Board

*Trustee Winter moved to approve the Consent Agenda.*

Trustee Lewis seconded, and the motion passed unanimously, 6-0.

## PRESENTATION

### 7. Regional Treatment Plant and Distribution of Water Service Partnership Discussion

Wesley LaVanchy, ITA gave a quick update and set the stage for Chris Pletcher about Eaton's Raw Water and Water Treatment, along with opportunities before the town. Municipalities, including Eaton, are still in a moratorium with NWCWD which limits the wholesale amount of water that can be purchased, which affects the capacity to support future projects. As NWCWD finishes their master plan, they will present an amended water service agreement to which will define the capacity the town will have. Recognizing this defined capacity allows the town to explore other opportunities for future needs of expansion and partnerships with other water providers to build the capacity of the town's water. Exploring Carriage Contract's that may create more redundancy and flexibility.

Chris Pletcher, GM, FCLWD spoke about commonalities; ownership of land for future water treatment plant, partnership in NISP, NWCWD, Soldier Canyon, ELCO and a shareholder of North Poudre water. The more we work together with Carriage Agreements to optimize the yield of our water rights and being effective partners in the organization is an advantage to each party. This concept of relationship and partnership is the glue that holds this organization together. In negotiation, Fort Collins/Loveland District will be the largest user at this water treatment plant and has an urgency and need for this plant to be ready in the next three to five years and pushing towards that goal. Having open conversations with partners to see who is ready to move forward, who can participate, at what level and what time will start building a partnership agreement. FCLWD may start working on the beginning design of this water plant. FCLWD is committed to a governance model, power of authority that each party has an equal voice and vote. Cost will be at a portion based on usage. This will be a forever water plant, and this is just the beginning of the partnership and formation of agreements. This is just an update on the tone of the negotiations and the partnership and relations we are building to move this process forward.

Wesley LaVanchy, ITA finished the presentation with a confirmation from the City of Greely to work on an IGA to get water credits on the Eaton Draw to help us with our issues on the wells. This will move us forward with our water court application with the State.

## PUBLIC HEARING

*Mayor Moser opened the Public Hearing at 7:35 p.m.*

### 8. Ordinance No. 636 – Amend Residency Requirement for Town Administrator

Avi Rocklin, Town Attorney stated that this Ordinance No. 636 is in consideration to omit the residency requirement from Section 2-4-1 of the Eaton Municipal Code. This will provide more flexibility and broaden the pool of people who may be available to serve as the Town Administrator.

*Mayor Moser opened the floor for public comment, as there was none, the floor was closed at 7:37 p.m. As there was no Board discussion, Mayor Moser closed the Public Hearing.*

*Mayor Pro Tem Heid moved to approve Ordinance No. 636, An Ordinance Amending Subsection 2-4-1 of the Eaton Municipal Code Concerning the Residency Requirement for the Town Administrator.*

Trustee Griffith seconded, and the motion passed unanimously.

## NEW BUSINESS

### 9. Employment Agreement for Town Administrator

Avi Rocklin, Town Attorney presented an Employee Agreement for consideration between the Town and Wesley LaVanchy. The Employee Agreement memorializes the terms of the Town's employment of LaVanchy as the Town Administrator.

*Trustee Griffith moved to approve the Employment Agreement for Town Administrator with Wesley LaVanchy.*

Trustee Gentry seconded, and the motion passed unanimously.

### 10. Community Development Block Grant Award (CDBG)

Wesley LaVanchy, ITA discussed the acceptance of Community Development Block Grant Award and authorization of Town's participation and partial match funding. This project will replace non-conforming ADA ramps in the main area of Town. The Town was awarded \$155,000 in grant funding. The Town's approximate match in funds is \$21,000 and the term of the grant is June 1, 2023, to June 1, 2024, unless extended.

**10. Community Development Block Grant Award (CDBG) Continued**

*Trustee Winter moved to accept the award of CDBG notice for \$155,000 in reimbursements, appropriate required matching funds and authorize the mayor and/or staff to execute a contract i.e., subrecipient agreement with Weld County CDBG Program.*

Trustee Lewis seconded, and the motion passed unanimously.

**11. Hometown Revitalization Committee Request to Solicit Bids for a Downtown Development Authority Consultant**

Greg Brinck, Assistant Administrator spoke on behalf of the HTRC, their strategies for sustainable downtown economic development since the committee's inception and have determined pursuing a formal Downtown Development Authority is the best path for the Town of Eaton. The HTRC is asking the Board of Trustees to authorize them to request bids for consultant to develop a campaign to create a DDA at the November 2024 election. The committee will solicit bids from consultants, review bids and recommend a consultant to the Board and the Board will award the contract to the consultant. The Board budgeted \$60,000 in the 2023 budget for consulting services which may cost \$75,000 - \$100,000 through the November 2024 election.

*Mayor Moser asked if all Trustees agreed for HTRC to proceed with solicitation of bids for a consultant, yes.*

**12. Purchasing Policy**

Faith Smith, Financial Director gave an update on the Town's Purchasing Policy to ensure sufficient oversight of financials transactions, streamline purchasing processes, provide uniformity throughout the organization and promote "Best Practices" to the Town's purchasing requirements.

*Trustee Lewis moved to approve adopting the updated purchasing policy.*

Mayor Pro Tem Heid seconded, and the motion passed unanimously.

**13. Maplewood Estates Irrigation Credit**

Greg Brinck, Assistant Administrator, stated that on April 17<sup>th</sup> when the Town's Public Works Department turned on the Maplewood Irrigation system, there were multi leaks as a result of Allo's fiber internet installation. The breakage of the irrigation system caused a 3-week delay to irrigation services. Staff requested the Board to waive one month of irrigation fees to the Maplewood Estates residents and commercial accounts.

*Trustee Gentry abstained from voting since he lives in Maplewood Estates.*

*Trustee Griffith moved to approve waiving one month of irrigation fees in Maplewood Estates in May 2023.*

Trustee Ledall seconded, and the motion passed 5-0.

**STAFF REPORT(S)**

- 14. Interim Town Administrator** – Monthly Report. Three citizen outreach meetings have been held for the Streets & Sales Tax Initiative, there will be an update in June from the citizen surveys. Work sessions will begin again before the regular board meetings. June's work session will be on the potential land west of us and amending the Master Plan for the Town. Jay Tapia will be a part of this work session. July's work session will be with Raftelis on the utility fees and August's work session will begin the 2024 Budget.
- 15. Assistant Town Administrator** – Updates; 1) Employee & Board picnic tomorrow, 2) Hometown Committee sponsoring June 16<sup>th</sup> movie, Sandlot, at the Town Square, 3) Lighting at the Roundabout will be moving forward, 4) DOLA opened a new specific Main Street Grant fund of \$1.5 million, working on application, if awarded, the CDOT Grant matching funds can be from the DOLA Grant and DOLA Grant matching funds can be from the CDOT Grant funds, to keep our cash contribution low.
- 16. Sergeant Rundle** – April 2023 Power Point Repot and Progress & Statistical Summary. Key Points; 1) Patrolling and surveying the speed on Christiansen Avenue, found north bound average 44.7 mph and south bound average 50.2 mph, 2) Directed patrolling at both stop lights for zero tolerance of red light runners, 3) CEO Ramirez will begin surveying private properties for refuge, junk cars and out of control weeds, 4) Increase patrol on 3<sup>rd</sup> Street parking at rec center and high school, 5) Two new full time officers and working on a third hire.
- 17. Town Attorney** – None.

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**STAFF REPORT(S) CONTINUED**

**18. Finance Director** – 1) Payroll and time clocks will be moved to Caselle software, 2) The Town has a new worker's compensation company called Pinnacle, 3) The auditors are still working on the financial statements for 2022.

**19. Town Clerk** – IIMC Conference was informative.

**COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS**

**20. Planning Commission Meeting** – No meeting, no report.

**21. Hometown Revitalization Committee** – Reports, see 11. and 15.

**22. Great Western Trail/Park** – Trustee Griffith – May 4, 2023, GWTA Summary Report

**23. Northern Front Range/MPO** – Mayor Pro Tem Heid – 1) Attended the Weld Trust Meeting and our school district discussed the current bussing issues with in-district students becoming homeless and living in Greeley which causes issues with the district's busses going out-of-route to pick up these students. Mayor Pro Tem talked with Scott James, Council Vice Chair of MPO /Weld County Commissioner, and produced a solution; MPO can provide buses and Weld Trust can assist for these busses to provide transportation for the district next fall for these particular students in Greeley, 2) Thanked the board for the endorsement nomination for the CML Executive Board.

**MAYOR'S COMMENTS** – Thank you to Wes and Greg for holding and attending the three-citizen outreach public meetings for the Streets & Sales Tax Initiative.

**EXECUTIVE SESSION**

**24. An executive session to determine matters subject to negotiation and instruct negotiators related to the Eaton Housing Authority pursuant to C.R.S. § 24-6-402(4)(e).**

*Mayor Pro Tem Heid moved to adjourn to an executive session to determine matters subject to negotiation and instruct negotiators related to the Eaton Housing Authority pursuant to C.R.S. § 24-6-402(4)(f), at 8:42 p.m.*

Trustee Gentry seconded, and the motion passed unanimously.

*Mayor Pro Tem Heid moved to come out of the executive session and reconvened the regular board meeting, at 9:00 p.m.*

Trustee Gentry seconded, and the motion passed unanimously.

Mayor Moser asked to let the record show that no other topics were discussed besides the topic listed under executive session, and no decisions were made.

**ADJOURN**

Mayor Moser adjourned the May 18, 2023, Regular Meeting at 9:01 p.m.

*Margaret Jane Winter Town Clerk*