

## TOWN BOARD MINUTES

FEBRUARY 18, 2021

A regularly scheduled meeting of the Town Board was held on February 18, 2021 at 7:00 p.m. in the Gary Carsten Board Chambers located at 224 First Street.

**Item 1 – Roll call and Pledge of Allegiance.** Those present and answering roll call: Trustees; Gentry, Heid, Ledall, Lewis, Winter, Trustee/Mayor Pro Tem (MPT) Isbell, Mayor Moser and Attorney Rocklin.

**Item 2 – Review of January 21, 2021 Minutes.** Trustee/MPT Isbell moved to approve the January 21, 2021 minutes as written, seconded by Trustee Winter. Mayor Moser requested a roll call per vote from Clerk Winter, as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 3 – Town Recognition for Trustees and Mayor Kevin Ross and Brandon Rohn. Service Recognition for Joe Metcalf and Percy Hamilton for their years of service.** Administrator Schreier and Mayor Moser presented engraved gifts and expressed appreciation for all the time, dedication and commitment as Mayor and Trustee for the town. Special recognition and an engraved crystal award was given to town employee Joe Metcalf for his 35 Years of service to the town and citizens. Percy Hamilton was unable to attend, rescheduled for March's meeting.

**Item 4 – Fire District Presentation on Upgrades to Training Area.** Michael Lendrink, Training Captain for the Eaton Fire Protection District presented proposed improvements for 2021 to the training area. The first being a 5 story building made of Conex boxes with interior and exterior stair cases and the second being a pump pit which is a concrete vault underground that will re-circulate the waste water used during training or purchase a trailered version. The south side of the training center is reserved for the police department for their future training development.

**Item 5 – Appointments for Alternates to Eaton Municipal Court Judge.** Attorney Rocklin presented a memo referencing Municipal Court Back-up Judge David Skarka has resigned and the presiding Judge Teresa Ablao recommends the appointment of Michelle Kline and Stewart Olive as backup judges. Following board discussion, Trustee/MPT Isbell moved to appoint Michelle Kline as a backup judge for the Eaton Municipal Court, seconded by Trustee Ledall. Motion carried 6-0. Trustee/MPT Isbell moved to appoint Stewart Olive as a backup judge for Eaton Municipal Court, seconded by Trustee Lewis. Motion carried 6-0.

**Item 6 – Appointment of New Member to the Hometown Revitalization Committee – Elaine Giersch.** Marq Nichol, Chair EHRC submitted an email Letter of Intent from Elaine Giersch for the open voting seat on the committee. Following board discussion, Trustee Winter moved to appoint Elaine Giersch for the open voting seat on the Hometown Revitalization Committee, seconded by Trustee Ledall. Motion carried 6-0.

**Item 7 – Ordinance No. 613 – Amending the Eaton Municipal Code Concerning Carriage Houses – Second Reading.** Administrator Schreier stated that this is a second reading to amend the code with the removal of the Eaton Fire District from the inspections of residential houses, inspections will be done by the Town's Building Official. Trustee/MPT Isbell moved to approve Ordinance No. 613, An Ordinance Amending Subsection 7-2-18(f) of the Eaton Municipal Code Concerning Carriage Houses, seconded by Trustee Heid. Mayor Moser requested a roll call per vote from Clerk Winter, as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 8 – Ordinance No. 614 – Amending the Eaton Municipal Code concerning Town Water and Sewer Service – Second Reading.** Administrator Schreier stated that this ordinance is to clarify the procedures the town has with the sewer and water services. Trustee/MPT Isbell moved to approve Ordinance No. 614, An Ordinance Amending Sections 9-1-18 and 9-4-2 of the Eaton Municipal Code Concerning Town Water and Sewer Service, seconded by Trustee Heid. Mayor Moser requested a roll call per vote from Clerk Winter, as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 9 – Ordinance No. 615 – Repealing and Readopting the Eaton Municipal Code Concerning Street Vendors – First Reading – Public Hearing.** Mayor Moser opened the floor for public hearing. Administrator Schreier opened with the fact that this ordinance is to codify with more detailed definition and direction as to how the street vendors operate. Attorney Rocklin added that this ordinance is to better regulate who is required and who is not required to get a vendors license. The current application will be modified to comply with Section 8-3-3. Section 8-3-5, vending prohibitions are listed as a process to revoke or deny a license with due process. Mayor Moser asked if there are any public comments, there were none. Board discussion led to add a provision to Section 8-3-2 about lemonade stands and other children events that sell items and Section 8-3-1 definition of motor vehicle will be modified. Mayor Moser then closed the public hearing. Trustee/MPT Isbell moved to approve Ordinance No. 615, An Ordinance Repealing and Readopting Section III of Chapter VIII of the Eaton Municipal Code Concerning Street Vendors, first reading subject to amendment to definition of motor vehicle in Section 8-3-1 and subject to amendment to additional exemption, seconded by Trustee Ledall. Mayor Moser requested a roll call per vote from Clerk Winter,

as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 10 – Resolution 2021-02 – Temporarily Suspending Liquor License Fees.** Administrator Schreier stated that this resolution ratifies a direction given last month by board members to action under the local disaster emergency to temporarily suspend payment of liquor license and application fees until December 31, 2021 in an effort of relief for businesses in town that were affected by COVID-19. Trustee Winter moved to approve Resolution 2021-02, A Resolution Approving Temporary Suspension of Liquor License and Application Fees, seconded by Trustee Heid. Mayor Moser requested a roll call per vote from Clerk Winter, as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 11 – Amendment to Solid Waste Service Agreement with Waste Management to Renew Services.** Administrator Schreier and Mayor Moser met with Waste Management (WM) to update conditions and modify details to the town clean-up day and define the annual increase with CPI or 3%, whichever is less. All services are subject to a rate increase each year. Trustee Ledall moved to approve and authorization for Mayor Moser to sign the Amendment to Solid Waste Services Agreement, seconded by Trustee Winter. Mayor Moser requested a roll call per vote from Clerk Winter, as follows: Trustee Gentry, Yes; Trustee Heid, Yes; Trustee/MPT Isbell, Yes; Trustee Ledall, Yes; Trustee Lewis, Trustee Winter, Yes. Motion carried 6-0.

**Item 12 – Discussion of Purchase of Units of CBT for Cash-in-Lieu Program Proposal.** Administrator Schreier proposed that the town purchases units of CBT to hold in a water bank for small businesses or small developers that need to purchase water for their building projects and dedicate the water to the town, in a cash-in-lieu program. One unit of CBT water is approximately \$60,000.00. The water would be sold to the developer at fair market value with a water agreement and dedication to the town. The board gave feedback and direction to create a resolution, water bank and set protocols for this cash-in-lieu program.

**Item 13 – Discussion of Request by County to Annex Cedar Court.** Administrator Schreier stated that Weld County (WC) sent a Notice of Inquiry from a homeowner located at Cedar Court and Collins Street, requesting a possible re-subdivision and second single family home same parcel. WC commented that the property is an enclave to the Town of Eaton, located on a subdivision parcel that was disconnected from the Town, does the Town wish to seek annexation of the property? Discussion pursued and the board gave Administrator Schreier direction to work on an enclave annexation for this area.

**Item 14 – Public Comment.\*** Mayor Moser opened the floor for public comments. Holly Mackaly, 10555 N CR 13, Wellington, addressed the board that she represents Republic Services, a waste disposal and trash removal service that is in this area and if the town should want to seek another trash service they would like the opportunity. As there were no other public comments, Mayor Moser closed the floor for public comments.

**Item 15 – Staff Reports.** See attached handout. Additions made to staff reports as follows:

- ◆ Captain Sturch: 1) Safe Zone; up and running, camera recording 24/7 for child custody exchanges and online buying/selling exchanges. 2) Robbery Training webinar; at the EAPRD successful. 3) Shooting Simulator; awarded to the police department for training. 4) CSO Jenkins and Captain Sturch have been working on ideas for the community businesses to be more involved with the police department.
- ◆ Vince Harris with Baseline: 1) Overview of the roundabout at CR 74 and CR 35 was discussed, in respect to the feedback from the land owners whose property is adjacent to the intersection, the center of the roundabout has now been shifted to the east by 30%. The goal is to get this design approved with Weld County, choose a contractor and start the project November 1<sup>st</sup>. The engineer's estimated cost is \$3.2 million with WC paying \$1.8 million, apply for an energy impact grant of \$750,000 and negotiate with the school on their portion to be paid.
- ◆ Financial Director Smith: 1) Anderson & Whitney auditors will be in the office starting Monday for 3 weeks. 2) CO Trust will give a presentation about market trends for investing at the April board meeting.
- ◆ Trustee Heid: 1) GWT; working with a lawyer on a land issue. 2) HTR; great turn out for their open house with participation and interaction, North Weld Herald will have a detailed article in the paper.
- ◆ Trustee/MPT Isbell: 1) MPO; Reginal Air Control council studying an employer based trip reductions or ride/share mandatory program for the 800 employers/businesses with 250 or more employees.
- ◆ Trustee Winter: 1) Planning Commissioners met February 4<sup>th</sup> and reviewed the zoning and land use code with Baseline. The marked up version showing changes is located on the town's website.

**Item 16 – Adjourn.** As there was no further business, Mayor Moser moved to adjourn at 8:58 p.m.

\* If you have public comment but are not comfortable attending in person due to COVID-19, please send the comments to [jeff@eatonco.org](mailto:jeff@eatonco.org) by Thursday at 12:00 p.m., and they will be read into the record or otherwise shared with the Board during the meeting.

*Margaret Jane Winter, Town Clerk*