

TOWN BOARD MINUTES

JANUARY 20, 2022

A regularly scheduled meeting of the Town Board was held on January 20, 2022, 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.

Mayor Moser requested an amendment to the agenda with the removal of Item 17. An executive session for the purpose of discussing matters subject to Eaton Housing Authority. Trustee/MPT Isbell moved to accept the amendment to the agenda, seconded by Trustee Gentry. Motion carried 6-0.

Item 2 – Review of December 9, 2021, Regular Meeting Minutes. Trustee Lewis moved to approve the December 9, 2021, Regular Meeting Minutes as written, seconded by Trustee Ledall. Motion carried 6-0.

Item 3 – Eaton Reds High School Football Team 2021 Proclamation – Mayor Moser. The Board of Trustees and Mayor read the Proclamation – Eaton Reds High School Football Team 2021 aloud to recognize the accomplishments of the Eaton Reds High School Football Team 2021.

Item 4 – Potable Water Source Master Plan – Steve Nguyen, P.E., President of Clear Water Solutions. ITA LaVanchy stated that the goal would be to produce a plan that provides the Town with a broader perspective for staff and the Town Board to make sound decisions for its future. Due to water becoming less available and more expensive, there is a need for municipalities to evaluate and develop future water supplies. Steve Nguyen, P.E., presented a proposal for the Town of Eaton's Potable Water Master Plan. The following services will be completed to build the Master Plan; 1) Quantify Current & Future Water Demands 2) Evaluate Current Water Supplies 3) Identify Shortages in Water Supplies 4) Evaluate Potential Water Sources to Meet Shortages 5) Provide Recommendation on Target Water Portfolio and 6) Investigate other potential water providers. The goal and desired outcome will be to provide Eaton with an overarching document that will provide education and guidance with a good understanding of the issues. Following board discussion, ITA LaVanchy irradiated that this proposal along with Northern Engineering's CPI list of projects will keep the town on track with projects and budgets for the future. The Professional Service Agreement will be presented at the February or March board meeting.

Item 5 – Revised Eighteenth Interim Agreement – NISP – ITA LaVanchy. ITA LaVanchy presented the Revised 18th Interim Agreement from NISP and payment request of \$617,500 dollars for the continued participation in the project for 2022. The current phase of the project is focused on agency consultation, permitting with the U.S. Army Corps of Engineers as well as compliance with National Environmental Policy Act. The Town originally budgeted \$809,000 for 2022 based on the initial request from NCWCD NISP Enterprise, this request was subsequently revised down until a Record of Decision (R.O.D.) was obtained and additional modeling was completed. NISP was able to carry over additional unspent funds and savings from 2021 to lower the payment request from \$809,000 to \$617,500. Attorney Rocklin added that there will be a need for a Substantive Agreement so NISP can get a loan from the EPA, by November 2022. Following discussion, Trustee Ledall moved to approve Revised Eighteenth Interim Agreement and the payment of \$617,500.00, seconded by Trustee Heid. Motion carried 6-0.

Item 6 – Slate Communications Contract – ITA LaVanchy. ITA LaVanchy stated that pursuant to the December presentation from Slate and the recommendations of the Board, a one-year Professional Services Contract has been created with flexibility and with a capability of allowing the Eaton Library to submit and to participate with Slate. Following discussion, Trustee Lewis moved to approve the Slate Communications Contract with a provision option to add Library information, seconded by Trustee/MPT Isbell. Motion carried 6-0.

Item 7 – Roundabout Bid Award and Contract – Brad Curtis, Northern Engineering. Brad Curtis presented a report on the WCR 35/ Collins Roundabout Construction Project with history/background on bids and supporting documents of bid tabulations. Subject to the Board's approval, the Project is scheduled to begin February 28, 2022, and be substantially completed by July 29, 2022. Baseline Corporation will be the core engineer on the project. Staff requested the Council's approval to accept Duan Excavating bid to construct the Roundabout for \$2,432,523.40 and for authorization to expend up to \$2,550,000.00 on the project as needed. Additionally, the staff requested Council's approval to accept the add alternate bid from Duran Excavating for the landscape island improvements for \$70,132.75 and for authorization to expend up to \$90,000.00 on the project as needed. Following discussion, Trustee Winter moved to accept the bids of Duran Excavating on the Roundabout and Landscape Island along with authorization to expend the Roundabout up to \$2,550,000.00 and expend the Landscape up to \$90,000.00 and allow staff to move forward to execute the contract, seconded by Trustee Ledall. Motion carried 6-0.

Item 8 – Cemetery Water Line Bid and Contract – Brad Curtis, Northern Engineering. Brad Curtis presented a report on a Waterline Extension Project for the Town's Cemetery including the company's bids on the project and supporting documents. The waterline project is to provide potable water to a future Phase I expansion of cemetery plots and to further support a phased opportunity to eliminate the flood irrigation and possibly support office/staff building(s). Staff requested Council's approval to accept the Goodell Machinery and Construction, Inc. bid of \$163,538.50 with an authorization to expend up to \$171,500.00 on the project as needed. Following discussion, Trustee Winter moved to accept the Cemetery Water Extension Line Bid with Goodell along with authorization to expend up to \$171,500.00 on the project as needed and allow staff to move forward to execute the contract. seconded by Trustee Gentry. Motion carried 6-0.

Item 9 – Authorize Purchase of Police Department Vehicle – Chief Sturch. Chief Sturch discussed the demise of the 2009 GMC Canyon CSO truck and the costs to repair the truck which exceeds the low-end value of the truck. A 2021 Ford Ranger was located for the price of \$37,850 and with upgrades of police radio, graphics, cage, and lights installed the total will be \$52,600. Following discussion, Trustee/MPT Isbell moved to approve the purchase of the 2021 Ford Ranger as a CSO Truck including the install of equipment at the price of \$52,600, seconded by Trustee Heid. Motion carried 6-0.

Item 10 – Resolution No. 2022-01 – Designating the Public Places for Posting Notices – Attorney Rocklin. Attorney Rocklin stated that this is a standard protocol to post notices of the Town Board meetings on the Town’s website and at the Town Hall to comply with state statute. Trustee/MPT Isbell moved to approve Resolution No. 2022-01, a Resolution Designating the Public Places for Posting Notices Pursuant to C.R.S. § 24-6-402(2)(c), seconded by Trustee Ledall. Motion carried 6-0.

Item 11 – Resolution No. 2022-02 – Adopting the Annual Three-Mile Plan – Attorney Rocklin. Attorney Rocklin stated this resolution is for purposes of annexation and the attributes contained in the third whereas clause to comply with statutory directive and adopt annually the Three-Mile Plan. Trustee/MPT Isbell moved to approve Resolution No. 2022-02, a Resolution Adopting the Annual Three-Mile Plan, seconded by Trustee Gentry. Motion carried 6-0.

Item 12 – Resolution No. 2022-03 – Revitalizing Main Street Grant from CDOT - ATA Brinck. ATA Brinck stated that this is a grant through CDOT which has \$22,000,000 to award in increments of \$2,000,000 to municipalities and with a match of funds toward the project of 20% by the municipality. Trustee Heid moved to approve Resolution No. 2022-03, a Resolution Supporting the Application for a Revitalizing Main Streets: Safety Infrastructure Grant from The Colorado Department of Transportation, seconded by Trustee/MPT Isbell. Motion carried 6-0.

Item 13 – Ordinance No. 620 – Amending Section 2-2-7 of Section II of Chapter II of the Eaton Municipal Code Concerning Compensation for the Mayor and Members of the Board of Trustees – First Reading – Attorney Rocklin. Attorney Rocklin stated that this ordinance is to provide flexibility in setting compensation for the Town’s Mayor and members of the Town Board and to ensure the Town’s ongoing compliance with state law. Trustee Winter moved to approve Ordinance No. 620, an Ordinance Amending Section 2-2-7 of Section II for Chapter II of the Eaton Municipal Code Concerning Compensation for the Mayor and Members of the Board of Trustees, First Reading, seconded by Trustee Heid. Motion carried 6-0.

Item 14 – DRAFT Ordinance No. 621 – Setting Compensation for the Mayor and Members of the Board of Trustees – Attorney Rocklin. Attorney Rocklin stated that this ordinance is a draft to set the compensation for the Mayor and Members of the Board of Trustees, the current compensation has been in place since 2008. Following discussion, direction was given by the board to insert compensation as \$500.00 for Mayor and \$300.00 for Trustee.

Item 15 – Public Comment. * Mayor Moser opened the floor for public comment. Marq Nichol, 223 Cheyenne Avenue, Chairman of Hometown Revitalization Committee (HTRC), wanted to report on the positive and negative feedback that has been communicated about the parklet. The restaurants and retailers are in favor, but the professional businesses are not, since each parklet takes up 3 parking spaces and there will be 3 parklets, there will be less parking on main street. HTRC will be hosting another open house on February 7, 2022. As there were no further comments, Mayor Moser closed public comments.

Item 16 – Staff Reports.

- ◆ Chief Sturch: 1) Yearly Report on Police Progress & Statistical Summary. 2) Toys from Cops Program. 3) Bridged gaps with Fire Department & School District. 4) EHS emblems on police vehicles.
- ◆ ITA LaVanchy: 1) Staff Report handout.
- ◆ ATA Brinck: 1) Scada system update. 2) Apple I-pads.
- ◆ Trustee/MPT Isbell: 1) MPO, Air Quality Report. 2) Green House Gas planning standards adopted.
- ◆ Mayor Moser: 1) Highway 85 Coalition, plan has not moved forward in 6 years.
- ◆ Trustee Heid: 1) GWT, 2021 people count on the trail; Eaton 18,428 & Severance 15,983.
- ◆ Trustee Winter: 1) PC Meeting February 3rd, Brown Farm discussion.
- ◆ Trustee Lewis: 1) Proclamations; when and perimeters, need to set an area of focus.

Item 17 – An executive session for EHA – Amended and Removed from the Agenda

Item 18 – An executive session for the purpose of discussing matters subject to negotiation and instructing negotiators regarding an IGA with Weld County for a Designated Truck Route pursuant to C.R.S. Section 24-6-402(4)(e).

Trustee/MPO Isbell moved to go into an executive session for the purpose of discussing matters subject to negotiation and instructing negotiators regarding an IGA with Weld County for a Designated Truck Route pursuant to C.R.S. Section 24-6-402(4)(e), seconded by Trustee Winter. Motioned carried 6-0.

Executive session was closed at 9:21 p.m. and no decisions were made.

Item 19 - Adjourn. Mayor Moser moved to adjourn at 9:21 p.m.

Margaret Jane Winter, Town Clerk