

## TOWN BOARD MINUTES

MAY 20, 2021

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

**Mayor Moser added Amendments to the Agenda: 4a and 7a.**

**Item 2 – Review of April 15, 2021, Minutes.** Trustee/MPT Isbell moved to approve the April 15, 2021 minutes as written, seconded by Trustee Heid. Motion carried 6-0.

**Item 3 – American Legion Auxiliary Presentation.** The following people from American Legion Auxiliary Unit 26 gave a presentation on the Legion's History, Pillars, Accomplishments of 2020, Annual Contribution, and their Mission: Connie Williams, VP; Doug Welch, Commander Elect; Bill Martin, Adjutant. The Legion presented a Hometown Hero Project which will honor Eaton's Veterans and Active-Duty Military. Eaton Veterans photos will be placed on banners and displayed throughout the town as an opportunity to remember those who have or are serving and to demonstrate our appreciation of their sacrifice for our freedom. Funding will be from anyone who wants to purchase a banner and the profit of the sale will be used to purchase a banner for a deceased Veteran who may not otherwise be recognized and any residual profit will be allocated to our Veteran Service fund which is currently dedicated to purchase grave markers for Veterans in unmarked graves in Eaton, a total of 95. If approved by the Town Board, it will be introduced at Eaton Days and marketed through early fall. Banners will be hung for Veterans Day, November 11<sup>th</sup> through Thanksgiving and then rehung for Memorial Day, and July 4<sup>th</sup> through Eaton Days. The American Legion Post 26 is looking to secure a home for all members to gather, considering lease, own or build based on availability. Following board discussion, Trustee Lewis moved to approve and support the Legion on their Home Town Banner Project, seconded by Trustee Gentry. 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 4 – Mental Health Proclamation – North Range Behavioral Health.** Roy True, IT Director of NRBH spoke in appreciation of the staff of NRBH for the Town's support in making May a mental health month. They have a staff member in the school for the kids and are working with the police staff co-responder as a support system for the community. The board and mayor read the Mental Health Proclamation aloud for the record.

**Item 4a – Library Appointment – Dennie Kutcher.** Brenda Carnes, Eaton Library Director introduced the library board candidate, Dennie Kutcher of Galeton. Trustee/MPT Isbell moved to appoint Dennie Kutcher to the Library Board, 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 5 – Preliminary Plat and Schematic Plan for the Brown Farm Planned Unit Development – Public Hearing.** Mayor Moser opened the floor for the public hearing for the Brown Farm Preliminary. Administrator Schreier for presentation purposes, the staff will present, followed by the applicant and then public comment. As a reminder, this is just the preliminary and schematic plat, not the final and there will be other hearings if this step passes tonight. Ben Thurston, Baseline Planning Consultant, stated that Kris Pickett is the applicant on behalf of Brown Farm LLC. If approved tonight, the applicant will then move forward with the final plat and development plan and rezone. The land use was reviewed as presented in the preliminary plat and schematic plan. The following recommendation to the Board of Trustees was approved by the Planning Commission on May 6, 2021 The Brown Farm Final Development Plan and Final Plat shall resolve all comments included in the staff and agency comments and the following conditions recommended by the Planning Commission after conclusion of the public hearing on May 6, 2021.

1. The Developer shall work with Town staff to: (a) determine interim park improvements for the dedicated school site; (b) establish reasonable building coverage maximums for all uses within the proposed development; and (c) establish reasonable setbacks and buffers in the northwest corner of the project site where non-residential and /or multi-family residential development will be adjacent to single-family homes in the Governor's Ranch development;
2. The Developer shall work with homeowners on the east side of Surrey Ridge in Governor's Ranch to mitigate impacts between the two development projects;
3. The fencing standards shall be modified to ensure uniformity for each block in the proposed development;
4. The minimum setbacks for commercial and multi-family development shall be increased to 20 feet in the front and 10 feet on the sides and rear;

5. The Developer shall provide a “will serve” letter from Xcel Energy prior to, or concurrent with, the application for the PUD Final Development Plan; and

6. If the Developer proposes to form a metropolitan district pursuant to Title 32 of the C.R.S, the Developer shall submit a proposed service plan prior to, or concurrent with, the application for a final plat for the first phase of the development.

Kris Pickett gave an overview of the plan and stated that this plan will support about 550 to 600 homes. The conditions that were given make sense and they will meet the expectations. The idea of a metro district being introduced is because the staff wants the developer to have a mechanism in place to maintain the common open space, retention ponds, trails, parks and non-potable system. Pinnacle Consulting Group is the company they work with in setting up metro districts. In meeting with the homeowners along Surrey Ridge to look at the 30 foot wide easement behind their homes and the solution for the space is a green belt from fence to fence. Kris then answered questions from the board. Mayor Moser then opened the floor for public comment, those in favor of the PUD come forward. There were no public comments in favor of the PUD. The Mayor then opened the floor for public comment for those opposed to the PUD. The following citizens came forward with their concerns: Lori Sander, 20 S Cheyenne Ave; Rick Kernan, 102 Cheyenne Ave; Stephen Pootinga, 1782 Pioneer Pl; Marla Bohling, 71 Settlers Dr; Henry Jameson, 334 Redwood Ave; Ryan Algino, 404 Buckeye Ave; Steve Brown, 381 Surrey Ridge; Bonnie Haines, 474 Buckeye Ave; Katie Tietmeyer, 262 Buckeye Ave; Cody Sullivan, 451 Surrey Ridge. Their concerns covered: police, fire department, taxes, electricity, water, traffic, roads, metro district, senior housing, growth, commercial, tradition, values and perspective of growth is inevitable. As there were no other comments, Mayor Moser closed the floor to public comment. Kris Pickett then gave comments to the public’s concerns. Scott Renfro, Landowner of Brown Farm, then spoke about how he appreciates all the comments from the public. There are studies on commercial impact, roads & traffic impact, water & sewer impacts, to be sure they are efficient with the cost and sale of each property and for the whole of the development. Would like to bring in the professionals to educate everyone on metro districts and they are currently working on a study for this development. Administrator Schreier add few more answers to the public comments. Mayor Moser concluded that owners and developers have property rights, and this group has been very willing to meet our concerns and work with the town. Following board discussion, Trustee Heid moved to approve Resolution No. 2021-06, Approving Planned Unit Development Schematic Plan and Preliminary Plat for the Development Known as Brown Farm, being a Replat of Outlot a Brown Farm 2<sup>nd</sup> Subdivision and situated in Section 1, Township 6 North, Rang 66 West of the 6<sup>th</sup> P.M., Town of Eaton, County of Weld, State of Colorado, containing Approximately 173.520 Acres with conditions as stated and including the new condition that the Surrey Ridge greenbelt be developed, seconded by Trustee Lewis. 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 6 – Water and Sewer Master Utility Plan Proposal – Northern Engineering.** Brad Curtis, Northern Engineering, has been the town’s engineering company for the past 25 years. Brad explained that this proposal is about the water & sewer master /utility plan project needs to be updated, normally should be updated every 10 years and gave an overview. Following board discussion, Trustee Ledall moved to approve the Northern Engineering Water and Sewer Master/Utility Plan Proposal, seconded by Trustee/MPT Isbell. 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 7 –Contract for Engineering Services with Northern Engineering.** Trustee Lewis moved to approve the Agreement for Engineering Services between Town of Eaton and Northern Engineering Services, 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 7a – Resolution No. 2021-05 A Resolution Adopting Contractor License Fee.** Administrator Schreier added that this is the resolution adopting the contractor fee to Ordinance 616, Contractor License that was approved last April. Trustee Winter moved to approve Resolution No. 2021-05, a Resolution Adopting Contractor License Fee, 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 8 – Approving the Contract for Interim Town Administrator Gary Carsten.** Attorney Rocklin and Mayor Moser talked with Gary Carsten, who agreed to come back to the position of Interim Town Administrator and as an independent contractor beginning June 1<sup>st</sup>. Trustee Winter moved to approve the Independent Contractor Agreement between the Town of Eaton and Gary Carsten concerning Interim Town Administrator, seconded by Trustee Gentry. 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, Yes; Trustee Winter, Yes. Motion carried 6-0.

**Item 9 – Public Comment.\*** Ed Moreno, 455 Cherry, asked about the road closure on 3<sup>rd</sup> Street by the Eaton Rec Center? Administrator Schreier stated that a company was boring in the road and hit our main water line and caused damage to the road. The road should be open now. As there were no more public comments, Mayor Moser closed the public comments.

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**Item 10 – Staff Reports.** See attached handout. Additions made to staff reports as follows:

- ◆ Chief Sturch: 1) Attended the Officer Down Memorial. 2) Received a suggestion that a women's group be formed to learn self-defense and self-esteem. 3) CSO Jenkins was named by the Greeley PD as a Victim Advocate 2020 with 1,248 hours as well as being our court clerk. She will be going to school to become a police officer this year. Officer Allen was named Officer of the Quarter, for his integrity and team player. 4) Co-Responder program for mental health.
- ◆ Administrator Schreier: 1) Roundabout update, Baseline will have the right-of-way dedication ready. 2) Brad with Northern Engineering is almost finished with setting up the project on 10<sup>th</sup> Street (CR 76) to be paved. 3) Still working on the Aspen Meadows detention pond grass. 4) Baseline is still working on the Land Use Code.
- ◆ Finance Director Smith: 1) Alan from our auditing firm will be here in June to approve our Financial Statements of 2020 that need to be turned into the state June 30<sup>th</sup>. 2) The general fund for the month of April for the Public Works Director got put into her line item.
- ◆ Trustee/MPT Isbell: 1) MPO; Audit was clean and director to extend her contract for another year. 2) HTRC; Saturday is First Street Clean-up Day. Put in an application for a \$50,000 grant for main street revitalization.
- ◆ Trustee Heid: 1) GWT; C-Dot rejected the GWT proposals to work with Hestor Farms, so the lawsuit will be pursued.

**Item 11 – Adjourn.** Mayor Moser moved to adjourn at 9:40 p.m.

*Margaret Jane Winter, Town Clerk*

\* 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.