# MINUTES

# FEBRUARY 18, 2016

A regular meeting of the Town Board was held on February 18, 2016 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1 – Roll call and Pledge of Allegiance**. Those present and answering roll call: Trustees; Daniels, Isbell, Heaton, Moos, Rohn, Ross and Mayor Moser. Attorney Rocklin was also present.

**Item 2** - **Review of the Minutes of the January 21st meeting.** TrusteeRoss moved to approve the minutes as written, seconded by Trustee Heaton. Motion carried 6-0.

**Item 3 – Special recognition for town employee Percy Hamilton for 20 years of service**. Mayor Moser introduced Percy Hamilton to the board expressing gratitude & appreciation for all his years of service to the town and its citizens and presented him with a plaque recognizing his accomplishments. Board members and staff also extended their appreciation as well.

**Item 4 – Continue discussion new retail liquor store license for Season Liquor at 402 Oak Avenue, Unit B.** Mayor Moser stated the public hearing had taken place at the January meeting and members opted to continue discussion to this meeting in order to research case law regarding this item, which has been completed by Attorney Rocklin. Concluding discussion and questions, Trustee Ross moved to grant the liquor store license request from Narayan Adhikari for Season Liquor, seconded by Trustee Daniels. Roll call; Isbell-aye, Ross-aye, Rohn-aye, Moos-aye, Heaton-aye and Daniels-aye. Motion carried 6-0.

**Item 5 – Public hearing of proposed zoning change and final plat for Eaton Area Community Center: Ordinance No. 579 and Resolution No. 2016-03.**  Mayor Moser announced the town has received a check from the Eaton Area Park and Recreation District board in the amount of $20,000.00 which is half of the balance loaned to them by the town to get the district started. Nina Lewis, president of the Recreation Board expressed their appreciation for the support received and will be paying off the balance when more tax money has been received. Mayor Moser opened the public hearing for the zone change request. Mike Ketterling of KBN Engineers, who is in favor of the Recreation District, and did the civil design for the Recreation Center. Board members of the recreation district and contractors were in attendance for any questions. The zoning proposed will be changing from Agriculture to Highway Commercial to fit the needs of the property. Zoning regulation for Highway Commercial has a building height limit of 21 feet, and the proposed building is 51 feet, which will require approval of a variance from the board. The construction will be done in phases, but hope to begin in April 2016 with completion in 2017. The first phase will include the actual building, parking, water, sewer, storm drain, detention pond, pedestrian access and Third Street. There will be two entrances to the facility: off of Weld County Road 35 and Third Street. There will be a northbound deceleration lane to Third Street on Weld County Road 35. Landscaping will also be phased in as money allows, along with the baseball and softball fields. There are two wells on the property and will be used to irrigate the landscaping and allow the area still being farmed to continue irrigation also. The School District, Recreation District and the Town will be sharing the cost of extending Third Street for access to the facilities. A traffic study has been completed and submitted to the board. No comments from the public forthcoming so the public hearing was closed by Mayor Moser. Concluding presentation and questions the board read Ordinance No. 579: Approval of Highway Commercial District (HC) Zoning of the property known as the Eaton Area Park and Recreation District, located in the southwest quarter of Section 36, Township 7 North, Range 66 West of the 6th P.M., in the Town of Eaton, County of Weld, State of Colorado, and containing approximately 32.982 acres. Trustee Ross moved to approve Ordinance No. 579 on first reading, seconded by Trustee Isbell. Roll call; Heaton-aye, Moos-aye, Rohn-abstain, Ross-aye, Isbell-aye and Daniels-aye. Motion carried 5-0 with 1 abstention. Trustee Moos moved to approve Resolution No. 2016-03: Approval of Final Plat for the Eaton Area Park and Recreation District, located in the southwest quarter of Section 36, Township 7 North, Range 66 West of the 6th P.M., in the Town of Eaton, County of Weld, State of Colorado, and containing approximately 32.982 acres, seconded by Trustee Ross. Motion carried 5-0 with 1 abstention (Trustee Rohn). Trustee Moos moved to issue a variance to the HC Zone Code which requires maximum of 21 feet of building height to 60 feet for this project, seconded by Trustee Ross. Motion carried 5-0 with 1 abstention (Trustee Rohn).

**Item 6 – Ordinance No. 578 – second reading: Change of zone for proposed Aspen Meadows Subdivision.** Concluding the second reading of Ordinance No. 578: Approval of Single-Family Residential (R-1) Zoning of the property known as the Aspen Meadows Subdivision located in Section 1, Township 6 North, Range 66 West of the 6th P.M., in the County of Weld, State of Colorado, and containing approximately 67.716, Trustee Moos moved approval, seconded by Trustee Rohn. Roll call; Daniels-aye, Heaton-aye, Moos-aye, Rohn-aye, Ross-aye and Isbell-aye. Motion carried 6-0.

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**Item 7 – Shelton Fund request from Legacy Senior Center – Karen Griffin.** The board received a letter of request from Legacy Senior Center for the sum of $5,250.00 from the Shelton Fund to keep their programs going. Karen Griffin appeared for questions. Concluding discussion and questions, Trustee Ross moved to grant the request, seconded by Trustee Moos. Roll call; Rohn-aye, Ross-aye, Isbell-aye, Daniels-aye, Heaton-aye and Moos-aye. Motion carried 6-0.

Mayor Moser announced the addition of Item 8a – Great Western Trail Authority.

**Item 8 – Library Board reappointment of Dave Sloan.** Theboardreceived a letter of request from the Eaton Library Board to reappoint Dave Sloan for another five year term to the Library Board. Mr. Sloan’s term expires April of 2016 and has been very active on the board and has contributed his time, energy, and skills significantly in the past five years, most notably taking lead on the new building extension project. His presence and participation at the High Plains District Board meetings and his experience with the current litigation issues are highly valuable to the board. Mr. Sloan was present and is willing to be reappointed. Trustee Moos moved to approve reappointment of Dave Sloan to another five year term, seconded by Trustee Ross. Motion carried 6-0.

**Item 8a –** **Great Western Trail Authority – approval of changes to the bylaws.** The board received a letter of request from Chairman Tom Jones, of the Great Western Trail Authority board to approve the following changes to their bylaws that were originally created in 2006:

* 1) Article II-Section 1: Change “The Trail Board” to the “Great Western Trail Authority”.
* 2) Article IV, Sections 1, 4, 5: Eliminate the Secretary/Treasurer position and create individual offices of Secretary and Treasurer and define the duties of each.

Section 6: Changes officer elections from June to January of each year.

Section 8 (new): Gives criteria for replacing board members.

* 3) Article VIII, Section 3-Annual Budget: the budget for the following year will be prepared in August instead of November.

Mike Ketterling, representing the Great Western Trail Board, appeared to respond to questions and provide an update of what is currently going on with the GWTA. Concluding discussion and questions, Trustee Moos moved to approve the changes to the bylaws, seconded by Trustee Isbell. Motion carried 6-0.

**Item 9 – Citizen Comments/Questions**. Nina Lewis, resident of Eaton, appeared before the board to ask what the process is or where the Town is at in the process for having a stop light installed at Highway 85 and Weld County Road 76. Mrs. Lewis is very concerned about the safety issues at that particular intersection, due to the loss of a local 22 year old male involved in a traffic accident on Saturday and a second victim who is in serious condition, also involved in a traffic accident on Sunday. There have been previous serious accidents in the past at the same intersection.

**Item 10 – Reports.**

* - Chief Mueller provided an update on activities in the police department.
* - Gary reported the issue of the stop light has been an ongoing issue for years. Jeff has scheduled a meeting for Tuesday of next week to meet with traffic engineers at CDOT. There are eleven conditions that have to be met in order to qualify for the stop light. Staff and board members will continue working on achieving the goal of installing the stop light. Trustee Ross has brought the issue up at the NFRMPO meeting also trying to get some help. There have been eleven accidents in the last three years at this intersection.
* - Gary also said his meeting with a developer out of Denver regarding senior housing appears to be moving forward.
* - Gary provided an update on the Town Square project, stating the earthwork has been completed.

**Item 11** – **Adjourn**. Having no further business the meeting was adjourned at 8:15 p.m.

Erika C. Bagley, Town Clerk