# MINUTES

# APRIL 17, 2014

**Existing Board**

A regular meeting of the Town Board was held on April 17, 2014 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1 – Roll call**. Those present and answering roll call: Trustees; Daniels, Heaton, Moos, Rohn, Ross and Truax and Mayor Moser.

**Item 2** - **Review of the Minutes of the March 20th meeting.** TrusteeRoss moved to approve the minutes as written, seconded by Trustee Truax. Motion carried 6-0.

**Item 3 – Library resolutions regarding the High Plains Library District**. Mayor Moser and Attorney Rocklin explained the reason for both resolutions to the board. The Board also received comments from citizens (Lynn MacNeil and Jean Coffman) regarding the current issues taking place. Upon completion of discussion and questions, Trustee Ross moved to adopt Resolution No. 2014-05: Removal of Karen Rademacher, Lucile Arnusch, Jacqueline Maslow, Brian Larson, Claud Hanes and Stan Sameshima from the Board of Trustees of the High Plains Library District, seconded by Trustee Rohn. Roll call; Daniels-aye, Heaton-aye, Moos-aye, Rohn-aye, Ross-aye and Truax-aye. Motion carried 6-0. Trustee Moos moved to adopt Resolution No. 2014-06: Ratifying Appointment of Nominees to the Board of Trustees of the High Plains Library District to fill vacant positions, seconded by Trustee Ross. Roll call; Truax-aye, Ross-aye, Rohn-aye, Moos-aye, Heaton-aye and Daniels-aye. Motion carried 6-0.

**Item 4 – Adjourn.** Mayor Moser,other trustees and staff expressed appreciation and thanks for all the time and commitment given by outgoing Trustee Truax, to the town. As there was no further business for the existing board the meeting was adjourned at 7:28 p.m. and opened for the new board.

**New Board**

**Item 1 – Swearing in of new board members: Lanie Isbell, Ken Daniels and Brad Moos.** Attorney Rocklin swore in the new board members. The new trustee, Lanie Isbell provided a brief background of information.

**Item 2 – Appointment of officers:**

**- Administrator/Treasurer: Gary A. Carsten**

**- Town Clerk : Erika C. Bagley**

**- Town Attorney : Avi Rocklin**

**- Municipal Judge : Thomas Hellerich**

Trustee Ross moved to reappoint Gary A. Carsten as the Administrator/Treasurer, seconded by Trustee Moos. Motion carried 6-0. Trustee Moos moved to reappoint Erika C. Bagley as Town Clerk, seconded by Trustee Ross. Motion carried 6-0. Trustee Daniels moved to reappoint Avi Rocklin as the Town Attorney, seconded by Trustee Rohn. Motion carried 6-0. Trustee Ross moved to reappoint Thomas Hellerich as the municipal judge, seconded by Trustee Daniels. Motion carried 6-0.

**Item 3 – Selection of Mayor Pro-tem.** Trustee Daniels moved to appoint Trustee Moos as mayor pro-tem, seconded by Trustee Heaton. Trustee Moos is willing to serve as mayor pro-tem. Motion carried 5 – 0.

**Item 4 – Appointment of board member to Planning Commission.** Trustee Rohn stated he would be willing to be the board representative for the planning commission. Trustee Moos moved to appoint Trustee Rohn as the board representative for the planning commission, seconded by Trustee Daniels. Motion carried 5 – 0.

**Item 5 – Appointment of board member to North Front Range MPO.** Gary provided a brief synopsis of what is involved with the North Front Range MPO. The meetings are held the first Thursday of every month. Trustee Ross volunteered to continue to fill the position. Trustee Moos moved to appoint Trustee Ross as the board representative to the North Front Range MPO, seconded by Trustee Rohn. Motion carried 5-0.

**Item 6 – Cobblestone Hotel development proposal.** Todd Fulcher, project manager for Cobblestone appeared before the board to present plans and answer any questions regarding the proposed hotel. Mr. Fulcher is hoping for a 4 month completion date. The Planning Commission met on April 15th and reviewed the proposal for a 2 story, 45 room hotel located in the far southeast corner of the Maplewood Estates Subdivision. The company is based out of the Minnesota and Wisconsin area and this project is being funded by local investors. The Planning Commission is recommending approval pending the following conditions:

* Have the Fire Department confirm there is enough room for emergency access and turn around;
* What irrigation plan is going to be used to maintain standing grass;
* Is there enough handicapped parking spaces – plans show 4 out of the 50 spaces;
* Is there enough lighting in the parking lot and the truck parking area;

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The Board has a few concerns dealing directly with the hotel so Tim Shefchik, development director, will be invited to a board meeting at a later date to address those concerns. Concluding review and discussion, Trustee Daniels moved to approve the proposal, seconded by Trustee Rohn. Motion carried 6-0.

**Item 7** **– Lee Ledbetter – Eaton Historical Society**. Nancy Donahoo, vice-president of the Eaton Historical Society appeared before the board to request money from the Shelton Fund in the amount of $7,100.66 to upgrade and restore the flooring at the museum located at 207 Elm Avenue. Concluding discussion, Trustee Moos moved to grant Shelton Fund money in the amount of $7,100.66 with additional overage up to $500.00 to cover unexpected expenses, seconded by Trustee Ross. Motion carried 6-0.

**Item 8 –** **Resolution 2014-03: Colorado Water Stewardship**. Gary provided background information for the resolution and stated it will help maintain control of the town’s water rights. Trustee Moos moved to adopt Resolution No. 2014-03: Support of Colorado Water Stewardship Project and in Opposition to Public Trust Doctrine Initiatives, seconded by Trustee Ross. Motion carried 6 – 0.

**Item 9 –** **Resolution 2014-04: Adjusting Cemetery and Building fees**. Research has been done regarding building permit fees and cemetery fees being charged by other towns/cities in the area to remain competitive. The following charges are as follows:

Cemetery Fees: Adult Space: $1,000; Baby Space: $300; Opening – Adult: $750; Opening – Adult (Saturday): $900;

Opening – Baby: $250; Opening – Baby (Saturday): $450; Opening – Cremains: $350;

Opening – Cremains (Saturday): $500; Single Columbarium: $1,000: Double Columbarium: $1,300

Cremains Space: $400

Residential Building Permit Fees: Area Charges per square ft.

Living Space $95.00

Garage $31.00

Unfinished Basement $15.00

Finished Basement $25.00

Covered Patios/Porches $20.00

Concluding discussion, Trustee Ross moved to adopt Resolution 2014-04: Increasing Residential Building Permit Fees and Cemetery Fees to become effective June 1, 2014, seconded by Trustee Rohn. Motion carried 6 – 0.

**Item 10** – **Ordinances #559, 560 & 561: Adjusting Limits, Charges and Fees.**  Ordinance No. 559: Amending Eaton Municipal Code Section 1-3-1, Section 1-1-10 and Section 5-2-18 Concerning an Increase in the General Penalty, the Penalty for Juvenile Offenders and the Municipal Court Surcharge was read in its entirety. Trustee Ross moved to adopt the ordinance on first reading, seconded by Trustee Rohn. Roll call: Daniels-aye, Heaton-aye, Moos-aye, Rohn-aye, Ross-aye and Isbell-aye. Motion carried 6-0. Ordinance No. 560: Amending Eaton Municipal Code Section 10-6-1 and Section 10-6-4 Concerning an Increase in the Jurisdictional Limit for Theft and Criminal mischief was read in its entirety. Trustee Moos moved to adopt the ordinance on first reading, seconded by Trustee Rohn. Roll call: Isbell-aye, Ross-aye, Rohn-aye, Moos-aye, Heaton-aye and Daniels-aye. Motion carried 6-0. Ordinance No. 561: Amending Eaton Municipal Code Section6-1-12, Section 7-1-47, Section 7-10-20, Section 8-3-11, Section 9-5-13 and Section15-1-5 Concerning Uniformity in the Penalty Provisions of the Eaton Municipal Code was read in its entirety. Trustee Rohn moved to adopt the ordinance on first reading, seconded by Trustee Heaton. Roll call: Daniels-aye, Heaton-aye, Moos-aye, Rohn-aye, Ross-aye and Isbell-aye. Motion carried 6-0.

**Item 11** – **Set hearing date for proposed Union Pacific ROW Annexation for the June meeting**. Gary supplied background information for the Resolution setting the hearing date for Union Pacific Railroad Company’s petition for annexation for June 19, 2014 at 7:00 p.m. Trustee Ross moved to adopt the resolution, seconded by Trustee Moos. Motion carried 6-0. Gary also reviewed a few other areas located in Town that have never been annexed for the board to consider for future annexation. Duayne Truax requested the Town consider annexing Weld County Road 39 in the future.

**Item 12** – **Planning Commission and Tree Board appointments.** Gary advised the board of three Planning Commission Members whose terms expire this month and need to be re-appointed. All members have expressed their willingness to continue. Trustee Moos moved to reappoint Steve Bagley, Jeff Payne and Jim Perkins to another term, seconded by Trustee Ross. Motion carried 6-0. Gary also reported all Tree Board members need to be re-appointed and are willing to continue another term. Trustee Daniels moved to re-appoint Ken Olsen, Dave Sauter and appoint Nate Gesick, Daniel Willadsen and Thomas Kraft to the Tree Board, seconded by Trustee Moos. Motion carried 6-0.

**Item 13 - Citizen comments/questions.** None.

**Item 14** – **Reports.** Trustee Ross provided an update for North Front Range MPO.

* Chief Mueller provided an update on activities in the police department.
* Gary reported the West Water Tank is currently out of service due to a leak. The tank was built in 2004. The cost of repair is approximately $44,000.

**Item 15 - Adjourn.** As there was no further business the meeting was adjourned at 9:00 p.m.

Erika C. Bagley, Town Clerk