



**TOWN BOARD REGULAR MEETING**  
**224 First Street, Eaton, CO**  
**Thursday, March 16, 2023, 7:00 P.M.**

---

**MINUTES**

**CALL TO ORDER**

Mayor Moser called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

**BOARD PRESENT** Mayor Scott Moser Mayor Pro Tem Liz Heid Trustee Karla Winter  
Trustee Coby Gentry Trustee Glenn Ledall Trustee Lee Griffith

**BOARD ABSENT** Trustee Nina Lewis

**STAFF PRESENT:** Interim Town Administrator - Wesley LaVanchy, Town Attorney - Avi Rocklin, Assistant Administrator - Greg Brinck, Financial Director - Faith Smith, Police Chief – Kevin Sturch, and Northern Engineering – Buddy Vierow

**AGENDA APPROVAL / AMENDMENT(S)**

Motion made by Mayor Pro Tem Heid, seconded by Trustee Ledall to approve the agenda as is. Motion carried 5-0.

**SPECIAL PRESENTATION I**

1. Aaron Price – Planning Commissioner Service of Dedication – Mayor Scott Moser commended Aaron Price for his eight years of service and dedication to the Town of Eaton.

**PROCLAMATION**

2. Eaton Reds Wrestlers State Champions Proclamation – Coach Mustari (3A Coach of the Year)

The Board of Trustees and Mayor Moser read the Proclamation – Eaton Reds High School Wrestling Team 2023 aloud to recognize the accomplishments of the Eaton Reds Wrestling Team and proclaim the evening as the “Night of Champions.”

**PUBLIC COMMENT** Mayor Moser opened and closed public comment at 7:09 p.m., no public comment.

**CONSENT AGENDA**

Motion made by Mayor Pro Tem Heid seconded by Trustee Griffith to approve the Consent Agenda. Motion carried 5-0.

3. Minutes – February 16, 2023, Regular Board Meeting
4. Accounts Payable Invoice History Report – February 2023
5. Financial Statements – January 2023
6. Treasurer Report – January 2023

**PUBLIC HEARING** Mayor Moser opened the Public Hearing at 7:11 p.m.

7. Venezia Italian Restaurant and Bar – Hotel & Restaurant (City) Liquor License – Mariam V. Saenz-Rodriguez and Maribel Estrada-Medina
- Agenda Item Report Packet – Clerk Winter reported that the state requested a correction to the application on page 4., question 27., to change the percentage of the owner to 80% and add partner at 20% and to resend a copy of the lease that is legible. All the other requirements of the applicant have been met. Petition information follows: 94 Residential Individuals Petitioned; eighty - in favor, zero - oppose, one - underage signature, six - outside of petition area, two - no last name, two - no mark for favor/oppose, one - no address, one - no age, and one - no age/town/mark for favor/oppose. 23 Business Individuals Petitioned; twenty - in favor, zero - oppose, one - outside of petition area, and two - no mark for favor/oppose. The investigation is complete, and requirements have been met. Recommendation to the board is to approve Venezia Italian Restaurant and Bar Liquor License. Miriam V. Saenz-Rodriguez and Maribel Estrada-Medina approached the board and gave a synopsis of their business history here in CO and dedication to their Venezia Italian Restaurant and Bar. Mayor

March 16, 2023

## **PUBLIC HEARING CONTINUED**

Moser opened the floor for public comment, having none, the public comment and public hearing was closed at 7:16 p.m. Motion made by Trustee Winter, seconded by Trustee Gentry to approve the Hotel & Restaurant (City) Liquor License for Venezia Italian Restaurant and Bar. Motion carried 5-0.

## **SPECIAL PRESENTATION II**

8. Library Quarterly Update – Library Director, Amber Greene presented a quarterly update with the library performance measures for the year end of 2022 and a 2023 work plan. The building has been remodeled and designed to keep pace with the evolving needs of the users. This includes a brand-new Makerspace equipped with creative technology for graphic design, 3D printing and laser cutting, as well as additional meeting and community gather spaces. New programs and events were also added to support digital literacy, cultural activities, civic engagement, and afterschool resources. The Director also covered the Library's Mission, Vision, and Values. Thursday, March 23<sup>rd</sup> will be the sculpture unveiling at 4:00 p.m.

## **NEW BUSINESS**

9. Appointment of Brad James as Planning Commissioner – Mayor Scott Moser introduced Brad James as the new Planning Commissioner Board Member. Brad approached the board and gave a brief history about himself and looks forward to being a member of the board. Motion made by Trustee Ledall, seconded by Trustee Winter to approve the appointment of Brad James as a Planning Commissioner with a four-year term. Motion carried 5-0.

10. Eaton Housing Authority (EHA) Exemption from Audit 2022 – Anderson & Whitney, Alan Holmberg stated that EHA is a separate entity from the Town and a year ago, Senior Housing Options (SHO) organization was hired to handle the HUD housing project with the duties of the majority of payroll, accounts payable collecting rent and handling the HUD forms. Since SHO is a nonprofit organization, their auditing procedures differ from the Town's and local municipalities. EHA brings in less than \$750,000 in rent and HUD subsidiaries and does not spend over \$750,000 in expenses, the recommendation is to file an audit exemption for the fiscal year of 2022 with the State of CO.

- Resolution No. 2023-05 – Eaton Housing Authority Exemption from Audit 2022

Motion made by Mayor Pro Tem Heid, seconded by Trustee Ledall to approve Eaton Housing Authority Resolution 2023-05 An Exemption From Audit for the Fiscal Year 2022 for the Housing Authority of the Town of Eaton. Motion carried 5-0.

11. Cemetery Funding/Expansion Phase I – Assistant Town Administrator, Greg Brinck stated that staff is seeking guidance from the Board on the current expansion project and future funding of the cemetery. The Town received three competitive bids from the published RFB. The bids were significantly higher than anticipated. The Town budgeted \$250,000 for the phase I project but bids came in at \$500,000 and higher. The lowest bid for the phase I expansion exceeds the project budget by \$246,759. The cemetery is a department within the General Fund and is subsidized to meet its operational and capital needs. The Board may want to direct the staff to bring in additional revenue and control expenses. The Board continued the discussion about the rate structure for spaces with non-residential vs residential, pre-pay opening and closing or making the cemetery private for Eaton only. Staff recommends awarding the contract per Northern Engineering recommendation of Coyote Ridge Construction bid of \$496,759 and authorize to expend up to \$500,000 on the project as needed. Motion made by Trustee Ledall, seconded by Mayor Pro Tem Heid to approve Coyote Ridge Construction bid for the Eaton Cemetery Expansion Phase I, in the amount of \$496,758.62 and authorize to expend up to \$500,000 on the project as needed. Motion carried 5-0.

12. Tobacco Age – Attorney Avi Rocklin and Chief Kevin Sturch presented a regulation for the Municipal Code concerning the Sale or Distribution of Tobacco Product to persons under twenty-one (21) years of age, which would match the State law. This regulation would not prohibit an individual between the age of 18 to 21 from possession of tobacco products. The Eaton Police Department recommends the approval of Ordinance No. 633.

- Ordinance No. 633 – Adding Section 10-4-14 to the Eaton Municipal Code Concerning the Sale or Distribution of Tobacco Products to Persons Under Twenty-One Years of Age

Motion made by Mayor Pro Tem Heid, seconded by Trustee Winter to approve Ordinance No. 633 – Adding Section 10-4-14 to the Eaton Municipal Code Concerning the Sale or Distribution of Tobacco Products to Persons Under Twenty-One Years of Age. Motion carried 5-0.

## **OLD BUSINESS**

13. Roundabout (RAB) Proposed Street Lighting – Northern Engineering, Buddy Vierow presented a memorandum based on direction from the Board in February, to obtain informal quotes on the scope and fees of the project from several electrical

March 16, 2023

**OLD BUSINESS CONTINUED**

engineering firms. Based on three (3) informal quotes, the scope and fees are anticipated to be between \$5,000-\$10,000. Staff recommend securing an Electrical Engineer to analyze and provide a street lighting model that will meet industry standards and determine the most cost-efficient solution required for this project. Motion made by Trustee Griffith, seconded by Trustee Ledall to approve staff to contract an Electrical Engineer up to \$5,000 to evaluate the street lighting at the RAB. Motion carried 5-0.

**STAFF REPORT(S)**

14. Interim Town Administrator – Monthly Report

15. Assistant Town Administrator – Community events that are Town sponsored, seasonal employee hiring, and April 29<sup>th</sup> Spring Clean-up should be firm with the approval of shredding by next week. The board was presented Executive Summaries in Fall of 2022 on the Water and Wastewater Master Plans, the plans have been reviewed by Northern Front Range Water Quality Association and are formally approved.

16. Chief – February 2023 Report & Police Progress in a Power Point presentation and Certified Vin Fee will be addressed at next month's meeting.

17. Town Clerk – No report.

18. Town Attorney – New Fine Schedule with the addition of “Jake Brake Fine”. Motion made by Mayor Pro Tem Heid, seconded by Trustee Gentry to approve the Eaton Municipal Court Schedule of Fines, Costs and Fees. Motion carried 5-0.

19. Finance Director – Treasurer Report shows the Cemetery Care Fund balance each month, and once a year a deposit is made for perpetual care onto the CD. March 27<sup>th</sup> the Town audit will begin. Participating on the NISIP Bond Council, interviewed two bond firms last Tuesday and will interview one firm on Friday, then a recommendation will be given to the participants of the Bond Council Committee on March 27<sup>th</sup> and then to the board for a decision in April.

20. Town Engineer – No report.

21. Communication – Lacey Mays with Slate production update: newsletter, e-newsletters on board recap, Face Book, Next Door, annual report, along with templates; power point, memo, and graphic design. The new website should be up and running at the end of March, first of April.

**COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS**

22. Planning Commission Meeting – No meeting held.

23. Hometown Revitalization Committee – MPT Heid stated that plans are being submitted to the PC Board.

24. Great Western Trail/Park – Trustee Griffith stated that trail is under construction for final phase and the last bridge will be installed in April.

25. Northern Front Range/MPO – Mayor Pro Tem Heid report attached.

**EXECUTIVE SESSION**

Trustee Winter, seconded by Trustee Griffith to move into the executive session to obtain legal advice concerning a potential rate adjustment under the Town of Eaton's Waste Services Agreement with Waste Management of Colorado, Inc, pursuant to C.R.S. § 24-6-402(4)(b) and to determine matters subject to negotiation and instruct negotiators related to the Eaton Housing Authority pursuant to C.R.S. § 24-6-402(4)(e), at 8:36 p.m. Motion carried 5-0.

26. An executive session to obtain legal advice concerning a potential rate adjustment under the Town of Eaton's Waste Services Agreement with Waste Management of Colorado, Inc., pursuant to C.R.S. § 24-6-402(4)(b).

27. An executive session to determine matters subject to negotiation and instruct negotiation and instruct negotiators related to the Eaton Housing Authority pursuant to C.R.S. § 24-6-402(4)(e).

Mayor Moser asked to let the record show that no other topics were discussed besides the topics listed under executive session, and no decisions were made.

**ADJOURN**

Mayor Moser moved to adjourn at 9:43 p.m.

*Margaret Jane Winter, Town Clerk*