

RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, August 15, 2023, at Town Hall.

Members Present

Mayor
Trustees

Borchard
Day
Gutierrez
Jehorek
Kindall
Lockwood
Nielsen

Town Staff Present

Administrator
Town Clerk
Attorney
Police Chief
Comm. Dev./Planner

Etheridge
Cook
Massih
Thompson
Thomson

CALL TO ORDER

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

ROLL CALL

All Board members were present.

APPROVAL OF THE AGENDA

Mayor Borchard asked for changes to the agenda. Trustee Nielsen made a motion to accept the agenda as submitted. Second by Trustee Gutierrez. All ayes. Motion carried.

APPROVAL OF THE PREVIOUS MINUTES

Trustee Nielsen made a motion to approve the minutes of August 1, 2023, as submitted. Second by Trustee Gutierrez. All ayes. Motion carried.

APPROVAL OF MONTHLY DISBURSEMENTS

Trustee Kindall made a motion to approve the disbursements dated August 15, 2023. Second by Trustee Jehorek. All ayes. Motion carried.

PUBLIC PARTICIPATION

Leif Joy of 848 8th St. addressed the Board concerning development of Robert Street and Sanderson Drive stating the Town really needs to consider this whether it be a public/private or a combination of different ideas. Joy said the Town could address the County emergency manager and see if he can rally the troops as public safety for this area is a huge issue. Trustee Day asked if the Town should pave roads for all future subdivisions, then, as we would be setting a precedence. Mr. Joy replied that the Town should do what makes sense for the people in the town as a whole, these streets are major thoroughfares and now is a good time for this community to take a look at it as there may be possible grant opportunities. Trustee Day asked where we would draw the line with future developers. Joy replied we should at least look at the opportunity and if we fail, at least we tried.

STAFF UPDATES

Public Works Superintendent Overton was not in attendance due to the paving project.

Police Chief Thompson reported during the month of July his department responded to 317 calls, with four citations issued and three trips to Craig.

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Community Dev./Planner Thomson reported the Housing Needs Assessment discussion has been good and encouraged participation in the survey which is currently available and posted on the Town's website, there are also a lot of planning projects listed in the report included in the Board packet.

Town Clerk Cook had nothing out of the ordinary to report.

Town Attorney Massih had nothing to report.

Town Manager Etheridge said included in the Board packet is a new timeline for the Circle Park Meeker Riverfront project, and that a new RFP was released today with the new dates. Etheridge said she had personally reached out to a few companies and informed the Board there will be mandatory site visits over two different days in September with the submittal deadline of October 17th.

PUBLIC HEARINGS

Consideration of request from Meeker Lions Club for a Special Events Liquor Permit for the Mustang Makeover Trainer Dinner on August 25th at the RBC Fairgrounds 4H Building. Mayor Borchard opened the public hearing at 7:12 p.m. Clerk Cook presented the staff report: Mark Rogers, representing the Lions Club is present, Diedre MacNab will be the event manager, the license is for the Mustang Makeover Trainer Dinner on August 25th from 4:00 to 11:00 p.m. at the Fairgrounds 4H Building, 700 Sulfur Creek Road. IDs will be checked at the bar, the licensed premises will be the 4H Building, permission was received from the County for use of the building, Chief Thomson has no objections to the event, the public hearing was advertised and the property posted, the application is complete and it is staff's recommendation to approve the Special Event License.

Hearing no further comments, Mayor Borchard closed the public hearing at 7:14 p.m. and called for a motion to approve the Special Events Liquor Permit for the Mustang Makeover Trainer Dinner. Moved by Trustee Kindall. Second by Trustee Jehorek. All ayes. Motion carried.

Consideration of request from Meeker Lions Club for a Special Events Liquor Permit for the Mustang Makeover on August 26th at the RBC Fairgrounds Grandstands. Mayor Borchard opened the public hearing at 7:15 p.m. Clerk Cook presented the staff report: Mark Rogers, representing the Lions Club is present, Diedre MacNab will be the event manager, the license is for the Mustang Makeover Event on August 26th from 10:00 a.m. to 10:00 p.m. at the Fairgrounds, 700 Sulfur Creek Road. IDs will be checked at the bar, the licensed premises will be the Grandstands, permission was received from the County for use of the facility, Chief Thomson has no objections to the event, the public hearing was advertised, and the property posted, the application is complete, and it is staff's recommendation to approve the Special Event License.

Hearing no further comments, Mayor Borchard closed the public hearing at 7:16 p.m. and called for a motion to approve the Special Events Liquor Permit for the Mustang Makeover event. Moved by Trustee Kindall. Second by Trustee Lockwood. All ayes. Motion carried.

Consideration of request from Meeker Lions Club for a Special Events Liquor Permit for the Meeker Classic Jammin' Lamb on September 9th at the RBC Fairgrounds 4H Building. Mayor Borchard opened the public hearing at 7:16 p.m. Clerk Cook presented the staff report: Mark Rogers, representing the Lions Club is present, Mary Cunningham will be the event manager, the license is for the Meeker Classic Jammin' Lamb event on Sept. 9th from 3:00 to 11:00 p.m. at the Fairgrounds 4H Building, 700 Sulfur Creek Road.

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IDs will be checked at the bar, the licenses premises will be the 4H building as well as the old ballfield where the fence will be signed with “No alcohol beyond this point”, permission was received from the County for use of the facility, Chief Thomson has no objections to the event, the public hearing was advertised and the property posted, the application is complete and it is staff’s recommendation to approve the Special Event License.

Hearing no further comments, Mayor Borchard closed the public hearing at 7:18 p.m. and called for a motion to approve the Special Events Liquor Permit for the Meeker Classic Jammin’ Lamb event. Moved by Trustee Gutierrez. Second by Trustee Nielsen. All ayes. Motion carried.

Consideration of re-subdivision application for lots 235-259 in Sanderson Hills. Mayor Borchard opened the public hearing at 7:18 p.m. Planner Thomson asked the Board if there were any disclosures regarding the property and the application. Trustee Jehorek stated she resides at 1365 Robert Street and received notice of the application, “I have no financial interest in the application and feel that I can be fair and impartial in this public hearing”. Thomson thanked the applicants Lee and Stephanie Overton, Justin Grant, and their authorized agent Betty Kracht for being present.

Planner Thomson presented the staff report:

- The applicants have requested to re-subdivide their adjacent properties. The current plat contains twenty-five (25) lots of which none have been developed. The proposal will vacate the cul-de-sacs; Russell Circle (0.4 acres) and Walbridge Circle (0.3 acres), but not vacate Sherry Street as Section 17.1.109(b)(5) prevents the vacation of Sherry Street. The proposal does not adversely affect the connectivity of the existing or proposed streets; by way of example only, a proposal cannot change a through collector street into a non-through street (cul-de-sac) or the proposal shall not leave any adjoining land without a means of access to another public street.
- The subject property is all vacant land. The subject property is located south of the Sage Hills Subdivision, north of Sanderson Hills Subdivision. To the east and west is vacant land of the same subdivision but owned by different owners.
- The subject property was originally platted in 1978 (recorded on 12/19/1978 with Rio Blanco County Clerk & Recorder) as part of the Sanderson Hills Subdivision by SEDI Inc. The original Sanderson Hills Subdivision consisted of two phases. Phase 1 originally included a section of the subject property, while Phase 2 would have included the remaining property. Sanderson Hills Re-subdivision was recorded in April of 2006, but did not include any of the subject property.
- The proposal as presented discourages development at a density that is consistent with surrounding neighborhoods, however the current site plan includes 12 lots versus the eight lots on the final plat that has been presented.
- Adjoining landowners to the east and west have also participated in discussion regarding options for their land including the process to vacate.
- Following the recommendation from the July 10, 2023 Planning Commission Public Hearing to table the proposal and explore options for a more viable municipal plan, a meeting was held on August 2, 2023 with the applicants and the majority of the remaining adjacent landowners. Options for the land as a whole were discussed however a mutually agreed upon plan was not achieved. At this time the applicants produced an updated site plan as presented here.
- Since receiving the application and providing public notice staff has received the following public comments:
2 Negative/Against Comments; 0 Positive/In Favor Comments and 6 General Inquiries.

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- On August 7, 2023, the Planning Commission unanimously voted in favor of approving the plan as presented because the re-subdivision request meets the conditions of Meeker Municipal Code 17.1.109(b), however with the following conditions:
 - Town Planner verifies the final plat meets the dimensional requirements of the Meeker Municipal Code; and
 - The applicants and Town enter into a reasonable Subdivision Improvement Agreement (SIA) prior to signing the final plat.
- Staff agrees with the Planning Commission's recommendation.

Mayor Borchard asked what a reasonable SIA would look like. Thomson said she is working with Attorney Massih to draft one. Massih said an SIA can vary in specificity and length, in this case you wouldn't have a lot of the typical provisions because there are specific items the Planning Commission wanted to cover, we are using a template for an SIA the Town used a few years ago and will ensure this SIA has all the necessary provisions. Mayor Borchard asked if it made more sense to not approve the re-subdivision until the SIA is on the table. Massih responded the Board can give direction and make the approval conditional based on the SIA which will be approved by the Board. Administrator Etheridge said the Town's code calls for a final ordinance to approve the re-subdivision which the Board will consider with the SIA and any other conditions that have been met.

Mayor Borchard asked what they needed from the Board at this point. Planner Thomson said what is needed tonight is for the Board to give direction on whether to move forward with the re-subdivision either with or without the SIA, one thing the Planning Commission discussed at the public hearing is the trigger for installing infrastructure, which will be a building permit on those lots, because of the cost of the infrastructure the applicants can still sell lots but the trigger will be a building permit. Trustee Day asked whether they would have to put the entire infrastructure in or just up to their lot. Thomson said just to the particular lot. Massih said it is basically phased, in theory it would be like a big subdivision, and I have seen this done in other municipalities. Mayor Borchard commented in the staff report it states the applicant does not intend to develop and how do we do that without a SIA. Thomson replied it was in their original application and the SIA was the recommendation of the Planning Commission.

Mayor Borchard asked if the applicants had any questions or comments. Lee Overton asked what constitutes a building permit as we are considering a garage with no utilities. Planner Thomson replied, because we know what you are intending to do, as you consolidate those lots you will then be brought into the next phase of your request of which your primary lot has a structure and would essentially become exempt, it will affect the remaining 10 lots which will require a primary building before any accessory building is constructed. Justin Grant asked about the lot adjacent to his and if they could be combined with his primary residence so he could build a shop on that piece of land. Thomson replied pending one more piece of title work, yes. Betty Kracht asked if the building permit triggers the SIA why would we have an SIA because does not the building permit also trigger the need for utilities. Thomson replied, a building permit would not be issued without utilities being put in, including streets and drainage. Attorney Massih commented, the SIA also runs with the title to the land and lets any new buyers know what the requirements are.

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Trustee Gutierrez asked if the applicants intend to sell lots 3 or 7 or do you plan to keep them as a utility easement. Mr. Overton replied, lots 4, 5 and 6 will be sold and Dr. Grant will have lot 7, lot 2; I would like to consolidate with my lot and the rest will be available for sale. Thomson stated the reason we are working from a site plan from the August 2nd meeting is because the surveyor has not yet been able to produce the final plat. Trustee Day asked if there were any utilities currently in Sherry Street. Mr. Overton replied there is sewer in Robert Street. There was more discussion on combining the existing lots and what subdivision they would then be in. Thomson reiterated that what is being considered tonight is the re-subdivision. Attorney Massih stated there are covenants that cover some of these lots and you cannot take property out of the subdivision with the covenants because they run with the land.

Trustee Day stated he would prefer to see the SIA prior to approval of the re-subdivision to ensure it is fair to everyone and asked what would happen if we moved forward without the SIA and then can't come to an agreement. Attorney Massih said the re-subdivision approval must be conditional on an SIA that is acceptable to both parties. There was more discussion regarding pulling a building permit and lot consolidation. Planner Thomson said it is her understanding that if they consolidate the land gets pulled into Sage Hills and they can go ahead with a building permit if there is a primary structure on the lot. Attorney Massih said you can agree to whatever terms the parties and the Board approves.

After more discussion regarding current excavation work that is going on in those lots, Mayor Borchard closed the public hearing at 7:39 p.m. and asked the Board if they wanted to approve the re-subdivision request or table it until we have the SIA. Trustee Kindall made a motion to approve the re-subdivision application for lots 235-259 in Sanderson Hills contingent upon the Town Planner verifying that the final plat meets the dimensional requirements of the Meeker Municipal Code and the applicants and the Town entering into a reasonable Subdivision Improvements Agreement prior to signing the final plat. Second by Trustee Gutierrez. All ayes. Motion carried.

NEW BUSINESS

Consideration of Invitation to Bid and Specifications for Downtown Light project. Administrator Etheridge stated she had reached out to WREA for their help on the bid specifications for the project commenting that she also has not heard back from CDOT on when the funds will be contracted but would like to have invitation to bid and specs ready to go as soon as funds are under contract. Mayor Borchard questioned the condition of the poles as a few years prior there were some that needed repair. Clerk Cook said she though public works and WREA had inspected the poles and had found only a few that needed repair. Administrator Etheridge said the grant of \$150,000 gives the Town a 90-day window to contract the work. The Board concurred to approve the invitation to bid.

Consideration of letter of support for RBC Broadband grant. Administrator Etheridge said she received an email from Beth Willey, grants manager for Rio Blanco County who is actively pursuing a \$20 million grant from the State Broadband Office Advance-CPF to complete the last mile of the broadband project and they are requesting a letter of support from the Town. Trustee Lockwood motioned to support the project. Second by Trustee Jehorek. All ayes. Motion carried.

MAYOR'S REMARKS

None.

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OTHER BOARD BUSINESS

Trustee Day said he saw where the Town received the well permit for Circle Park and found it interesting that one of the agencies that protested the permit was also the same agency that approved the draw from Lake Avery.

Trustee Lockwood asked if the Board could inquire individually about the re-subdivision application if we have questions. Attorney Massih said yes, although the entire Board should be copied if it is by email, and no one should “reply all.” After more questions about the application Massih informed the Board that regarding the Sage Hills Homeowners Association the Town does not get into the business of those requirements nor enforcement of them.

ADJOURNMENT

Mayor Borchard adjourned the meeting at 8:06 p.m.



Kent A. Borchard, Mayor

Attest:



Lisa Cook, Town Clerk