

# RECORD OF PROCEEDINGS

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The Regular Meeting of the Meeker Town Board was held Tuesday, March 5, 2024 at Town Hall.

**Members Present**

Mayor  
Trustees

Borchard  
Day  
Gutierrez  
Jehorek  
Kindall  
Lockwood (via phone)  
Nielsen

**Town Staff Present**

Administrator  
Town Clerk  
Admin Asst  
Chief of Police

Etheridge  
Cook  
Pakuer  
Thompson

**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 except Trustee Lockwood who was attending by phone.

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF THE PREVIOUS MINUTES**

A motion was made by Trustee Nielsen to approve the minutes of February 20, 2024 as submitted. Second by Trustee Gutierrez. All ayes. Motion carried.

**APPROVAL OF MONTHLY DISBURSEMENTS**

A motion was made by Trustee Gutierrez to approve the disbursements dated February 29, 2024. Second by Trustee Jehorek. All ayes. Motion carried.

**PUBLIC PARTICIPATION**

None.

**PUBLIC HEARINGS**

*Consideration of request for Special Event Liquor License from Meeker Lions Club for Rocky Mtn Elk Foundation Banquet on March 23, 2024 at 4H Building.* Mayor Borchard opened the public hearing at 7:03 pm. Town Clerk Cook presented the staff report: the special event liquor license is for the Meeker Lions Club for Rocky Mountain Elk Foundation Banquet on March 23<sup>rd</sup> at the 4H building; Tom Allen is the event manager; the event will be from 3:00 pm to 12:00 am at the 4H Building located at 700 Sulfur Creek Road; the public hearing was advertised; permission has been received by the County Commissioners for use of the facility; the property has been

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posted; it is staff's recommendation to approve the application. Mayor Borchard asked for any questions or concerns from the public or the Board. Hearing none, he closed the public hearing at 7:05 pm and called for a motion to approve the Special Event Liquor License from Meeker Lions Club for Rocky Mtn Elk Foundation Banquet on March 23, 2024 at 4H Building. Moved by Trustee Nielsen. Second by Trustee Jehorek. All ayes. Motion carried.

***Consideration of Corporate Name Change for liquor license at GoFer Foods.*** Mayor Borchard opened the public hearing at 7:06 pm. Town Clerk Cook stated this application is for a change of corporate name, from Feys Business Ventures Inc. to Fey Family Investments Inc. and the dba will remain GoFer Foods of Meeker; Cori Brickey is the manager of the establishment and is present; the public hearing was advertised; the property was posted; proper paperwork was filed with the Secretary of State; staff recommends approval. Ms. Brickey stated they are getting everything under one entity. Mayor Borchard asked for any question or concerns from the public or the Board. Hearing none, he closed the public hearing at 7:07 pm and called for a motion to approve the Corporate Name Change for liquor license at GoFer Foods. Moved by Trustee Nielsen. Second by Trustee Gutierrez. All ayes. Motion carried.

***Consideration of Conditional Use Permit for The Church at Meeker dba Firm Foundations Early Learning Center at 1032 Jennifer Court.*** Mayor Borchard opened the public hearing at 7:08 pm. Administrator Etheridge stated Beth Ford was present representing the Firm Foundations Early Learning Center, and the address should be 1032 Jennifer Drive not Jennifer Court. The Church at Meeker dba Firm Foundations Early Learning Center is requesting to operate an early learning center/childcare center at 1032 Jennifer Drive. The property is located in the Mixed Residential (MR) zone in the Sanderson Hills Subdivision; childcare center is listed as a Conditional Review Use under the MR zoning code; the original building was built for the purpose of a childcare center, but the property has changed ownership and uses. The applicants have submitted the required application within the required time frame and the request has been advertised as mandated by the Meeker Land Use Development Code including notification of the Public Hearing to property owners within 300 feet, at the subject property and in the Herald Times. During the referral review period the application did receive a comment from Meeker Police Department regarding the safety of pedestrians. Upon further investigation, staff found that the concerns related to safety of pedestrians and bicyclists were not applicable based on the structure of the childcare facility as there will be no after school programming at the proposed center so there should be no change in pedestrian and bicycle traffic. Additionally, staff have received zero comments from the public in favor of or against the application. At a public hearing on Monday, February 26<sup>th</sup> 2024 the Planning Commission voted unanimously to recommend approval of the application. Ms. Ford stated they are excited to get the ball rolling. Trustee Gutierrez extended appreciation to Ms. Ford for bringing this much needed facility to our community. Mayor Borchard asked for any question or concerns from the public or the Board. Hearing none, he closed the public hearing at 7:11 pm and called for a motion to approve the request for Conditional Use Permit to operate a childcare center at 1032 Jennifer Drive by the The Church at Meeker dba Firm Foundations Early Learning Center. Moved by Trustee Jehorek. Seconded by Trustee Kindall. All ayes. Motion carried.

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**Consideration of updates to the Meeker Municipal Code - Title 18.** Mayor Borchard opened the public hearing at 7:12 pm. Administrator Etheridge stated there are five proposed code edits that have come to the attention of staff as they have been going through the newly adopted Land Use Code. Knowing there would be some adjustments to better serve the citizens and the process better, staff would like to present the five adjustments in Title 18:

1. M.M.C. §18.1.17 Allowable Uses Chart (Commercial) – This request is to allow a Recreation Facility (Indoor or Outdoor) as a conditional use in MR Zone. After some discussion the Board agreed to accept this change.
2. M.M.C. §18.1.16(4)(a)(ii) – This request is to change RV occupancy from “fourteen (14) consecutive days in a thirty (30) day period” to “seven (7) consecutive days in a ninety (90) day period” and is for private property, not for right-of-way or public streets and that the seven (7) day limit would be going back to previous regulations prior to adopting the new Land Use Code. Administrator Etheridge stated that staff have found some inconsistencies with this regulation throughout the municipal code. Trustee Day asked why the change from fourteen days to seven days and Etheridge stated staff felt that having it set at fourteen days makes it more difficult to regulate, whereas seven days would be more consistent with other code regulations and would be easier to enforce. Trustee Day pointed out there was quite a bit of discussion in the past on this regulation, and feels it needs to remain at fourteen days because this range gives people the most amount of time for hunting season and/or family time. Trustee Kindall was concerned about (30) day period vs the (90) day period. Trustee Day stated he is good with how this section is already written; no changes are needed. Trustee Kindall suggested keeping it as it is written for a while and seeing how it works out with enforcement. The Board feels this section should be left as is with no changes.
3. M.M.C. §18.2.6(2)(a)(iv-v) – This request is to require notification for public feedback on boundary adjustments and lot consolidations. Currently these applications are done at the administrative level, and do not require a public hearing, though these applications are still sent to referral agencies for comment. The Planning Commission felt that requiring public hearings for these types of applications would be unnecessary and only draw out the process and add another level of bureaucracy. Administrator Etheridge stated staff concurs with the Planning Commission, adding that any change in use of a property would trigger a public hearing. Trustee Jehorek stated that she had originally suggested this change but a better understanding of the process has changed her mind that there should not be public notification without a hearing before a Board. After some discussion the Board agreed to leave this section as is with no changes.
4. M.M.C. §18.2.6(2)(c) – This request is to change the criteria language for major subdivisions to simplify the reading and remove the requirement of acreage. The current code lists bullet points for the criteria and that the new language would be “Major subdivisions include all subdivisions and re-subdivisions that would create five (5) or more separate parcels of land

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and/or involve the dedication of public right-of-way or construction of public improvements”. This new language would be more direct, consistent with the previous language in the section, and take away the size criteria of a parcel for subdivision. The Board agreed to accept this change.

5. M.M.C. §18.2.6 Table 18.13 – This request is to remove mineral estate notification requirement on the Final Plat of Subdivision of a PUD because it is redundant, expensive, and the time requirements are unattainable. The Board agreed to accept this change.

Mayor Borchard asked for questions or concerns from the public or the Board and Trustee Lockwood reiterated the request to see the corrected and final verbiage before making a decision. Hearing no other comments, Borchard closed the public hearing at 7:36 pm and called for a motion to approve items #1, #4, #5 for consideration in an Ordinance and setting the public hearing for March 19<sup>th</sup>. Moved by Trustee Jehorek. Second by Trustee Gutierrez. All ayes. Motion carried.

## NEW BUSINESS

***Bid opening for Crack Fill Street Project.*** Administrator Etheridge stated there were two bids received. Mayor Borchard opened the bids submitted from:

- Sealco located in Gunnison CO; twenty thousand pounds in the amount of \$3.40 per pound equaling a total bid of \$68,000.00.
- Rocky Mountain Asphalt located in Steamboat Springs; twenty thousand pounds in the amount of \$2.25 per pound equaling a total bid of \$45,000.00.

Staff will review the bids and report back.

***Bid award for Police Vehicle.*** Administrator Etheridge stated the Police Department vehicle replacement that was approved for \$65K in Systems Development and is to replace the Animal Control truck, a 2008 GMC Canyon pick-up truck. Staff recommendation is to award the bid to Northwest Auto in the amount of \$41,545.00 for the following reasons:

- Bid specifications included a V-8 or V-6 engine and Cook Ford bid a smaller, 4-cylinder engine.
- Lead time for Cook Ford is 4-6 months while lead time for NW Auto is 6 weeks.

Even though the Ford is \$3,634 less, it will have a less powerful engine, longer lead time, and any warranty work would be 45 miles away instead of next door. Mayor Borchard asked for any questions or concerns. Hearing none he called for a motion to award the bid for the Police Department’s Animal Control vehicle to Northwest Auto in the amount of \$41,545.00 for a 2024 GMC Canyon. Moved by Trustee Nielsen. Second by Trustee Jehorek. All ayes. Motion carried.

## Old Business

***Discussion regarding Circle Park Riverfront Project, including Contract Agreement and Engineering review.*** Administrator Etheridge stated she had spoken with Tom Smrdel and Michael Scurlock with GEI Consulting. They have prepared a formal letter of opinion on the engineering designs and specifications for the project which she had just received today. Etheridge plans to review this information with Tom and Michael and will be sharing it with the Board later this week. The overall thoughts are that there are no fatal flaws, just a few things that should be tweaked, and

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there is a possibility, depending on the Boards' preference that some of the alterations will likely require additional cost and approval. Etheridge stated a preference of getting under contract with Diggin It Riverworks (DIR) so that what comes out of the engineering assessment can then be a concerted effort with the contractor so there are no further delays in the construction. At the last meeting, the Board direction was to increase the liquidated damages from \$100/day and strengthen the warranty on plantings somehow. The contract was presented with the liquidated damages at \$500/day, which happens to be the same as the contract that DIR is working under in Craig. However, DIR asked that the completion deadline be extended to June 2026 so that there is another spring season available for final landscaping if necessary. DIR is still not willing to warranty plantings over which he has no control once the project is complete and agreed to language that warranties the viability at time of installation and through the completion of the project, that way at the final punch list if there are issues, they will still be under warranty by the contractor. After a lengthy discussion the Board decided to postpone voting on this contract until information from the engineering assessment can be considered.

## MANAGER'S REPORT

- In the Board packet is a letter received yesterday from a citizen, Greg Kreiger who lives at 1124 Garfield Street. Etheridge spoke with Mr. Kreiger at length this morning and will be working at a staff level to address his concerns.
- Etheridge talked with Matt Solomon today regarding NW Colorado Energy Initiative. A reminder that last July the region supported a successful AGNC grant application for funding from DOE for surveys & education on regional energy diversification. They're now in the planning process and hope to have a community survey available by Spring. Matt plans to be present at the next meeting to answer any questions.
- There is a meeting next week with the CDOT Regional Manager regarding our Transportation Planning Region.
- Carly will be out the rest of this week with the community team including Tiffany and several others for the Community Builders economic development workshop.
- Lisa Cook has been preparing for ballots to go out early next week. We now have five candidates for the three Trustee seats as Matt Franks officially withdrew today.

## MAYOR'S REMARKS

None.


## OTHER BOARD BUSINESS

Mayor Borchard requested Animal Control Officer Haney provide a response to citizen complaint.

## ADJOURNMENT

8:07

Attest:

  
\_\_\_\_\_  
Lisa Pakuer, Admin. Assistant

  
\_\_\_\_\_  
Kent A. Borchard, Mayor