



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Draft

BOARD OF TRUSTEES MEETING

Tuesday, April 24, 2018

6:30 PM

Board Room

Pre Meeting Community Room 5:45 PM

STUDY SESSION 5:45 PM IN THE COMMUNITY ROOM

AGENDA FOR THE STUDY SESSION IS A DISCUSSION OF THE REGULAR MEETING
AGENDA BELOW

REGULAR MEETING 6:30 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

Mayor Harris called the April 24, 2018 Regular Meeting to order at 6:30 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: 7 -
Mayor Harris
Mayor Pro Tem Gruber
Trustee Carroll
Trustee Schutt
Trustee Woog
Trustee Deakin
Trustee Charles

III. SWEARING IN OF ELECTED MAYOR AND BOARD OF TRUSTEES

IV. ROLL CALL OF INCOMING BOARD

Present: 7 - Mayor Carroll
Mayor Pro Tem Deakin
Trustee Charles
Trustee Woog
Trustee Haid
Trustee Gippe
Trustee van Woudenberg

V. ELECTION OF MAYOR PRO TEM

Trustee Woog moved to appoint Trustee Charles as Mayor Pro Tem. The motion was not seconded.

Trustee van Woudenberg moved to appoint Trustee Deakin as Mayor Pro Tem; the motion was seconded by Trustee Haid. The motion carried with a four (4) for

and two (2) against vote with Trustee Woog and Trustee Charles voting no.

VI. APPOINTMENT AND SWEARING IN OF TOWN OFFICERS

VII. APPROVAL OF THE AGENDA

Trustee Deakin moved to approve the April 24, 2018 Meeting Agenda; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

VIII. CONSENT AGENDA

- [18-153](#) Approval of the March 27, 2018 Meeting Minutes
- [18-144](#) A Resolution Authorizing Awarding A Concrete Repair Services Contract To Can-Do Concrete Construction, Inc. In An Amount Not To Exceed \$121,200; And Setting Forth Details In Relation Thereto.
- [18-145](#) A Resolution Authorizing Award Of A Services Contract To Precise Striping, LLC for Crack Sealant Services In The Amount Not-To-Exceed \$124,000; And Setting Forth Details In Relation Thereto
- [18-148](#) Resolution authorizing the Town of Erie, Colorado, Municipal Court to enter into an inter-government agreement for Municipal Jail Services with the Weld County Sheriff's Office

The April 24, 2018 Consent Agenda was approved with the following roll call vote:

Aye: 7 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

IX. PUBLIC COMMENT

Jason Grubb of Erie, Colorado, gave public comment congratulating the newly elected officials and introduced himself as the Community Outreach Coordinator for the Colorado Oil & Gas Association.

David Kelly of 2317 Dogwood Circle, Erie, Colorado, gave public comment on concerns regarding the landfill.

Jackie Kelly of 2317 Dogwood Circle, Erie, Colorado, gave public comment on the landfill.

Tessa Ashkehase of 2335 Dogwood Circle, Erie, Colorado, gave public comment on the landfill.

Jeff Percell of 293 Baker Lane, Erie, Colorado, gave public comment on the need for a civil online discussion. Mr. Percell invited the Board of Trustees to a BBQ intended to bring the community together.

Linda Foos of 1688 Bain Drive, Erie, Colorado, invited the Board of Trustees to attend an event at Dawson School regarding oil and gas operations.

X. PROCLAMATIONS AND PRESENTATIONS

[18-149](#) Earth Day Proclamation

[18-150](#) Arbor Day Proclamation

XI. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

[18-112](#) An Ordinance Regarding The Parkdale Planned Unit Development (PUD) Overlay Map Rezoning, Adopting Certain Findings of Fact and Conclusions Favorable To The PUD Rezoning, And Setting Forth Details In Relation Thereto. SECOND READING

Mayor Carroll continued the Public Hearing for Agenda Item 18-112 and Agenda Item 18-113 from the March 13, 2018 and March 27, 2018 Regular Meetings.

Chris Muhr of 1401 County Line Road, Erie, Colorado, gave public comment on concerns regarding drainage and the new gateway that bypasses his property.

Ken Martin, Chair of Open Space & Trails Advisory Board, of 1106 Cookie Court, Erie, Colorado, gave public comment on the recommended changes made to the Parkdale PUD and preliminary plat.

Mike Thedo of 9000 N 119th, Lafayette, Colorado, gave public comment in support of the Parkdale Development.

Arlene Penner of 12177 Baseline, Erie, Colorado, gave public comment in support of the Parkdale Development.

Agenda Item 18-112 and Agenda Item 18-113 will return for Board action at the May 8, 2018 Regular Meeting.

Mayor Carroll closed the Public Hearing at 9:06 pm.

[18-113](#) A Resolution By The Board Of Trustees Of Erie, Colorado Making Certain Findings Of Fact And Conclusions Favorable To The Parkdale Preliminary Plat; Imposing Conditions Of Approval; Approving the Parkdale Preliminary Plat With Conditions; And, Setting Forth Details In Relation Thereto.

Agenda Item 18-112 and Agenda Item 18-113 will return for Board action at the May 8, 2018 Regular Meeting.

XII. GENERAL BUSINESS**XIII. STAFF REPORTS**

[18-141](#) 13th Annual Spring Clean Up

[18-142](#) Water Treatment and Water Reclamation Monthly Report

[18-146](#)

Planning & Development Monthly Building Permit Report

XIV. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Gipp congratulated and wished good luck to the Board of Trustees.

Trustee Woog reported on street lights out near Cristos and Citywide Bank.
Trustee Woog inquired on the entity responsible for the street lights.

Mayor Carroll reported that applications for the Boards and Commissions would be accepted through April 30, 2018, and informed the public that recommendations would be made on May 8, 2018 Regular Meeting. Mayor Carroll also report on the upcoming Arbor and Earth Day events.

XV. EXECUTIVE SESSION[18-152](#)

EXECUTIVE SESSION for a conference with the Town Attorney and Special Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) specifically, to receive legal advice regarding the Crestone litigation, the EnCana/Crestone Operator Agreement, municipal regulation of oil and gas, and applications before the COGCC.

Mayor Pro Tem Deakin moved to go into Executive Session for the purpose of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4) (b) specifically, to receive legal advice regarding the Crestone litigation, the Encana/Crestone Operator Agreement, municipal regulation of oil and gas, and applications before the COGCC. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, April 24, 2018, and the time is 9:15 pm. For the record, I am the presiding officer, Mayor Carroll. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session were the following persons:

Mayor Pro Tem Deakin, Trustees Scott Charles, Dan Woog, Adam Haid, Bill Gippe, Christiaan van Woudenberg, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Todd Bjerkaas, Director of Planning & Development; Chad Taylor, Environmental Planner; and General Counsel Barbara Green and Tom Sullivan; and Town Attorney Mark Shapiro.

Mayor Carroll announced; The time is now 10:30 pm, and the executive session has been concluded. The participants in the executive session were:

Mayor Pro Tem Deakin, Trustees Scott Charles, Dan Woog, Adam Haid, Bill Gippe, Christiaan van Woudenberg, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Todd Bjerkaas, Director of Planning & Development; Chad Taylor, Environmental Planner; and General Counsel Barbara Green and Tom Sullivan; and Town Attorney Mark Shapiro.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Hearing none the Mayor moved to the next agenda item.

XVI. ADJOURNMENT

Trustee Charles moved to adjourn the April 24, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.