



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, July 10, 2018

6:30 PM

Board Room

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 Carroll called the July 10, 2018 Regular Meeting to order at 6:30 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the agenda with the amendment of moving Agenda Item 18-234 from VI. Proclamations and Presentations before V. Public Comment, and move XII. Executive Session prior to VIII. Ordinances. Trustee Haid seconded the motion; the motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

[18-235](#) Approval of the June 26, 2018 Draft Meeting Minutes

[18-143](#) A Resolution Authorizing Award of a Construction Contract To Preferred Garages, Inc., For the Leon A. Wurl (L.A.W.) Service Center Storage Building In The Amount of \$48,997 for Construction and \$5,003 for Contingency.

[18-188](#) A Resolution Authorizing Award Of Construction Contract And Change Order To A-1 Chipseal Company For The 2018 Street Maintenance In The Amount Of \$896,480.70, Change Order 1 In The Amount Of \$319,141.20

And Contingency In The Amount Of \$13,078.10; And Setting Forth Details In Relation Thereto.

[18-239](#)

A Resolution Authorizing Award Of A Construction Contract To Metro Pavers For Improvements To Portions Of Vista Parkway In The Amount Of \$99,146.75; And Setting Forth Details In Relation Thereto.

[18-238](#)

Purchase Of Code Enforcement and Stormwater Fleet Units

Trustee Charles moved to approve the July 10, 2018 Consent Agenda; the motion was seconded by Trustee Haid. The motion carried 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

V. PUBLIC COMMENT

Kyle Roth of 2129 Jones Place, Berthoud, Colorado, gave public comment on Agenda Item 241 and 242 and concerns about a social media issue.

Liz Fischer of 635 Moffat Street, Erie, Colorado, gave public comment on code of conduct and Agenda Item 241 and 242.

Jason Grubb of 1800 Glenarm Place, Suite 1100, Denver, Colorado, gave public comment on Agenda Item 241 and 242.

Monica Korber of 1559 Hickory Drive, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Dave Lotton of 365 Main Street, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Brooke Dryden of 807 Flamingo Cove, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Ariel Walsh of 702 Dounce Street, Lafayette, Colorado, gave public comment on Agenda Item 241 and 242.

Pat Reed of 722 Reliance Drive, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Johanna Ostrum of Broomfield, Colorado, gave public comment on Agenda Item 241 and 242.

Ryan McGrotty of 472 Polaris Circle, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Erika Cutlip of 472 Polaris Circle, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Paula Oransky of 920 Summer Way, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

DeAndrea Arndt of 828 Lehigh Circle, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Beth Ewaskowski of 1507 Quest Drive, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Ray Schlott of 255 Meadow Way, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

James Byers of 635 Moffat Street, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Cliff Hodkins of 2734 Sunset Place, Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Brendon Bell of Erie, Colorado, gave public comment on Agenda Item 241 and 242.

Tim Dermick of Erie, Colorado, gave public comment on Agenda Item 241 and 242.

VI. PROCLAMATIONS AND PRESENTATIONS

- [18-233](#) Erie Municipal Airport Monthly Report - June 2018
- [18-234](#) Recognition of Past Boards & Commission Members
- [18-236](#) Presentation of 2017 Audit Report and Comprehensive Annual Financial Report.

VII. RESOLUTIONS

VIII. ORDINANCES

- [18-241](#) An Ordinance Of The Town Of Erie, Colorado Imposing A Temporary Moratorium On The Acceptance, Processing, And Approval Of Any Applications Under The Unified Development Code Related To Oil And Gas Exploration, Extraction, And Related Operations; Directing The Investigation Of The Regulatory Practices Of Other Municipal Governments As They Relate To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations; Directing The Prompt Investigation Of The Town's Unified Development Code As It Relates To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations; Declaring The Intention Of The Town Board Of Trustees To Consider Appropriate Revision Of The Unified Development Code As It Relates To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations; And, Declaring An Emergency Therefore.

Mayor Pro Tem Deakin moved to suspend 02-44; the motion was seconded by Trustee van Woundenberg. The motion failed with a five (5) for and two (2)

against vote with Trustee Charles and Trustee Woog voting no.

Mayor Pro Tem Deakin moved to approve Agenda Item 18-241 on emergency; the motion was seconded by Trustee Haid. The motion failed with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.

[18-242](#)

An Ordinance Of The Town Of Erie, Colorado Imposing A Temporary Moratorium On The Acceptance, Processing, And Approval Of Any Applications Under The Unified Development Code Related To Oil And Gas Exploration, Extraction, And Related Operations; Directing The Investigation Of The Regulatory Practices Of Other Municipal Governments As They Relate To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations; Directing The Prompt Investigation Of The Town's Unified Development Code As It Relates To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations; And, Declaring The Intention Of The Town Board Of Trustees To Consider Appropriate Revision Of The Unified Development Code As It Relates To Regulation Of Oil And Gas Exploration, Extraction, And Related Operations.

Mayor Pro Tem Deakin moved to suspend 02-44; the motion was seconded by Trustee van Woundenberg. The motion carried with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.

Mayor Pro Tem Deakin moved to approve Agenda Item 18-242 on first reading; the motion was seconded by Trustee van Woundenberg. The motion carried with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.

IX. GENERAL BUSINESS

[18-237](#)

Town of Erie Budget and Budget Process Presentation

X. STAFF REPORTS

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee van Woundenberg gave direction to Town Staff to inquire if Oil and Gas Counsel Barbara Green would assist with public forums at Vista Ridge.

Trustee Charles thanked Town Staff for their work on Star Meadows Park.

Trustee Woog asked Town Staff how best to enforce dog licenses.

XII. EXECUTIVE SESSION

[18-231](#)

EXECUTIVE SESSION for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to

discuss oil and gas counsel; and, for a conference with the Town Attorney 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 on current litigation.

Trustee Charles moved to go into Executive Session to discuss a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss oil and gas counsel; and, for a conference with the Town Attorney 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 on current litigation and oil and gas issues. The motion was seconded by Mayor Pro Tem Deakin. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, July 10, 2018, and the time is 8:30 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, Bill Gippe, Christiaan van Woudenberg, Dan Woog, Adam Haid, and Town Administrator Farrell Buller; Assistant to the Town Administrator Marty Ostholthoff, Director of Planning & Development Todd Bjerkaas; and Town Attorney Mark Shapiro.

Mayor Carroll announced; The time is now 10:20 pm, and the executive session has been concluded. The participants in the executive session were:

Mayor Carroll, Mayor Pro Tem Deakin, Trustees Scott Charles, Bill Gippe, Christiaan van Woudenberg, Dan Woog, Adam Haid, and Town Administrator Farrell Buller; Assistant to the Town Administrator Marty Ostholthoff, Director of Planning & Development Todd Bjerkaas; 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.

XIII. ADJOURNMENT

Trustee Charles moved to adjourn the July 10, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Carroll adjourned the July 11, 2018 Regular Meeting at 10:25 pm.