



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, December 13, 2016

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 Harris called the December 13, 2016 Regular Meeting of the Town of Erie Board of Trustees to Order at 6:32 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: 6 - Mayor Harris
Mayor Pro Tem Gruber
Trustee Carroll
Trustee Charles
Trustee Woog
Trustee Deakin

Absent: 1 - Trustee Schutt

III. APPROVAL OF THE AGENDA

Mayor Pro Tem Gruber moved to approve the December 13, 2016 Meeting Agenda with the amendment of moving Agenda Item 16-437 from IV. Consent to VII. Resolutions. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

Trustee Deakin moved to approve the December 13, 2016 Consent Agenda as amended; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:

Aye: 6 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and Trustee Deakin

[16-443](#)

Approval of the November 15, 2016 Special Meeting Minutes

- [16-421](#) A Resolution Approving a Collection Services Agreement on Behalf of the Municipal Court of the Town of Erie and Integral Recoveries, Inc. for Municipal Court Collection Services; and Setting Forth Details in Relation Thereto.
- [16-451](#) A Resolution Authorizing a Change Order to Extend a Service Contract to Ted D. Miller Associates for Flow Monitoring in the amount of \$42,000.
- [16-454](#) A Resolution Accepting the Town of Erie, Downtown Redevelopment Framework Plan and Directing Staff to Implement
- [16-467](#) A Resolution Authorizing the purchase of new JWC Grinder in the amount not-to-exceed \$13,110.
- [16-472](#) A Resolution Authorizing The Town Of Erie, Colorado, To Enter Into The First Amendment To Disposition And Development Agreement With The Town Of Erie Urban Renewal Authority And Evergreen-287 & Arapahoe, LLC; Authorizing And Directing The Appropriate Town Officers To Sign Said First Amendment; And, Setting Forth Details In Relation Thereto.
- [16-476](#) A Resolution Acting By And Through Its Erie Water Activity Enterprise ("Erie") To Continue Its Participation In The Northern Integrated Supply Project (NISP), Phases 3A and 4, In the Amount of \$650,000; and Setting Forth Details in Relation.
- [16-480](#) A Resolution Authorizing a Change Order to a Construction Contract to Jag's Enterprises, Inc., for the Underpass Repair at Taxiway Project, In the Amount of \$67,850.
- [16-430](#) An Ordinance Amending the Town of Erie Standards and Specifications for Design and Construction of Public Improvements – June, 2016 Edition (SECOND READING)
- [16-437](#) An Ordinance Of The Town Of Erie, Colorado, Enacting Provisions Of The Municipal Code Of The Town Of Erie, At Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-8, "Court Costs," Establishing Costs To Be Imposed Upon Referral Of Delinquent Amounts Due To Collections. (SECOND READING)
- [16-438](#) An Ordinance Of The Town Of Erie, Colorado, Enacting Provisions Of The Municipal Code Of The Town Of Erie, At Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-7.D., "Overweight Vehicles," Setting Forth Penalties For Violations Related To The Weight, Size And Load Of Vehicles And Trucks. (SECOND READING)

V. PUBLIC COMMENT

Jim Low, 1997 Lodgepole Drive, Erie, CO. spoke in favor of expanding trails for golf carts.

Marie Clark, 1997 Lodgepole Drive, Erie, CO. spoke in favor of expanding trails for golf carts.

Katy Dukes, 600 Briggs Street, Erie, CO. voiced support for the Downtown Redevelopment Plan.

Mark Mangione, 425 Balcom Court, Erie, CO. spoke against any plans to extend Moffat Street.

VI. PROCLAMATIONS AND PRESENTATIONS

VII. RESOLUTIONS

[16-473](#)

A Resolution Of The Town Of Erie, Colorado Approving Bylaws For The Erie Historic Preservation Advisory Board In Accordance With Title 3, "Boards And Commissions," Chapter 3, "Historic Preservation Advisory Board," Section 3-3-5 C. 2. Of The Town Of Erie Municipal Code; And, Setting For Details In Relation Thereto.

Mayor pro Tem Gruber moved to approve Agenda Item 16-473 with an amendment to ARTICLE IV Survey and Inventory

- 1. The Historic Preservation Advisory Board must maintain a system for survey and inventory of Historic Properties.**
- 2. The Historic Preservation Advisory Board must maintain a system hosted & physically controlled in Town Hall for survey and inventory of Historic Properties and under the custodianship of the Town Clerk. The motion was seconded by Trustee Carroll. The motion carried with all present voting in favor thereof.**

[16-444](#)

PUBLIC HEARING: A Resolution Providing For the Supplemental Appropriation of Money to Various Funds in the Amounts and For the Purposes Set Forth Below, For the Town Of Erie, Colorado, For the 2016 Budget Year

Mayor Harris opened the Public Hearing for Agenda Item 16-444 at 6:49 pm. Following staff presentation and hearing no one wishing to make Public Comment, Mayor Harris closed the Public Hearing for Agenda Item 16-444 at 6:51pm. Trustee Deakin moved to approve Agenda Item 16-444; the motion was seconded by Trustee Carroll. The motion carried with the following roll call vote:

Aye: 6 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and Trustee Deakin

[16-445](#)

PUBLIC HEARING: A Resolution Summarizing Expenditures and Revenues For Each Fund and Adopting a Budget For the Town of Erie, Colorado, For the Calendar Year Beginning the First Day Of January, 2017

and Ending on the Last Day of December, 2017

Mayor Harris opened the Public Hearing for Agenda Item 16-445 at 6:52 pm following Staff presentation and Board discussion, there was no one wishing to make Public Comment on this item. Mayor Harris closed the Public Hearing for Agenda Item 16-445 at 7:03 pm. Trustee Deakin moved to approve Agenda Item 16-445; the Motion was seconded by Trustee Carroll. The motion carried with the following roll call vote:

Aye: 5 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Woog, and Trustee Deakin

Nay: 1 - Trustee Charles

[16-446](#)

PUBLIC HEARING: A Resolution Appropriating Sums of Money to the Various Funds in the Amounts and For the Purpose as Set Forth Below For the Town of Erie, Colorado, For the 2017 Budget Year.

Mayor Harris opened the Public Hearing for Agenda Item 16-446 at 7:04 pm following Staff presentation and Board discussion, there was no one wishing to make Public Comment on this item. Mayor Harris closed the Public Hearing for Agenda Item 16-446 at 7:05 pm. Trustee Deakin moved to approve Agenda Item 16-446; the Motion was seconded by Trustee Carroll. The motion carried with the following roll call vote:

Aye: 5 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Woog, and Trustee Deakin

Nay: 1 - Trustee Charles

[16-447](#)

A Resolution Establishing and Certifying the Property Taxes for the Town of Erie, Colorado, in Weld and Boulder Counties for the Year 2017

Trustee Deakin moved to approve Agenda Item 16-477; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

Aye: 6 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and Trustee Deakin

[16-448](#)

A Resolution Authorizing The Purchase Of 2017 Approved Units In The Amount Of \$385,873.71

Trustee Charles moved to approve Agenda Item 16-448; the motion was seconded by Trustee Woog. the motion carried with the following roll call vote:

Aye: 6 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and Trustee Deakin

[16-455](#)

PUBLIC HEARING: A Resolution By The Board of Trustees Of The Town Of Erie, Colorado Regarding The Lost Creek Farm Final Plat With Conditions; Accepting Dedications As Shown In The Lost Creek Farm Final Plat; Authorizing The Appropriate Town Official To Sign The Lost Creek Farm Development Agreement, Two Consent Agreements, And

Grant Of Permanent Access And Utilities Easement Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of Dedications, Development Agreement, Two Consent Agreements, And Grant Of Permanent Access And Utilities Easement Agreement; And, Setting Forth Details In Relation Thereto.

Trustee Woog recused himself from this Agenda Item, citing a conflict. He had currently voted on this item in 2013 when he was serving as a Commissioner on the Planning Commission.

Mayor Harris opened the Public Hearing for Agenda Item 16-455 at 7:12pm. Following a presentation by the Applicant and no one wishing to make additional comment Mayor Harris closed the Public Hearing at 7:42pm. Mayor Pro Tem Gruber moved to approve Agenda Item 16-455; the motion was seconded by Trustee Charles. The motion carried with a four (4) for and one (1) against vote, with Trustee Deakin voting no.

Aye: 4 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, and Trustee Charles

Nay: 1 - Trustee Deakin

Recused: 1 - Trustee Woog

[16-456](#)

A Resolution Of The Town Of Erie Authorizing The Inclusion Of Property Into Morgan Hill Metropolitan District No. 3.

Mayor Harris left the Meeting at 7:45 pm due to illness. Mayor Pro Tem Gruber took over the meeting,

Trustee Charles moved to approve Agenda Item 16-456; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

VIII. ORDINANCES

[16-419](#)

An Ordinance Amending The Flatiron Meadows Planned Unit Development (PUD) Overlay Map Amendment No. 1, Pursuant To The Rezoning Application of the Owner Thereof, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning; And, Setting Forth Details in Relation Thereto. (SECOND READING)

Trustee Charles recused himself from Agenda Item 16-419 citing a conflict of interest because he is a resident of Flatiron Meadows.

Trustee Deakin moved to approve Agenda Item 16-419; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Aye: 4- Mayor Pro Tem Gruber, Trusees Carroll, Trustee Deakin
Trustee Woog

Recused : 1- Trustee Charles

[16-406](#)

An Ordinance of the Town of Erie, Colorado Repealing and Replacing Title 2 "Revenue and Finance, " Chapter 5, Impact Fees and Refunds, And Chapter 5 Article A, Impact Fees Established," of the Erie Municipal Code and Setting Forth Details in Relation Thereto. And, Declaring An Emergency Therefore.

Trustee Charles moved to approve Agenda Item 16-406 amending to adopt as a second reading and not on an emergency. The motion was seconded by Trustee Deakin. The motion carried with Mayor Pro Tem Gruber, and Trustees Carroll, Deakin, and Charles voting for and Trustee Woog voting no. (4-1)

[16-420](#)

An Ordinance Of The Town Of Erie, Colorado, Repealing The August 2015 Title 10 Unified Development Code; Adopting By Reference The November 2016 Title 10 Unified Development Code; Providing For The Effective Date Of This Ordinance; Setting Forth Details In Relation Thereto; And, Declaring An Emergency Therefore.

Trustee Charles moved to approve Agenda Item 16-420 amending to adopt as a second reading and not on an emergency. The motion was seconded by Trustee Deakin. The motion carried with Mayor Pro Tem Gruber, and Trustees Carroll, Deakin, and Charles voting for and Trustee Woog voting no. (4-1)

[16-432](#)

An Ordinance Of The Town Of Erie, Colorado, Amending Title 2, "Revenue And Finance," Chapter 10, "Fee Schedule," Section 5, "Community Development Fees" Of The Erie Municipal Code; Adding A New Neighborhood Park Land And Construction Cost Fee And A New Fee In Lieu Of Open Space Land Dedication; Setting Forth Details In Relation Thereto; And, Declaring An Emergency Therefore.

Trustee Charles moved to approve Agenda Item 16-432 amending to adopt as a second reading and not on an emergency. The motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.

[16-459](#)

An Ordinance Of The Town Of Erie, Colorado, Repealing The August 2015 Title 10 Unified Development Code; Adopting By Reference The January 2017 Title 10 Unified Development Code; Providing For The Effective Date Of This Ordinance; Setting Forth Details In Relation Thereto.

This was the First Reading of Agenda Item 16-459; it will be returned for Board Action at the January 10, 2017 Regular Meeting of Town of Erie Board of Trustees.

IX. GENERAL BUSINESS

[16-457](#)

Summerfield Concept Plan Review

A presentation was made by Chuck Belloc of the Community Development Group.

[16-458](#)

Shores on Plum Creek Concept Plan Review

Trustee Carroll left the meeting at 9:00 pm

Due to number of Board of Trustee Members absent, this Agenda Item will be returned for Board review at the January 17, 2017 at a Board of Trustee Study Session.

[16-468](#)

Board of Trustees Expense Report Procedures

Trustee Dealkin moved to continue this item to the January 10, 2017 Regular Meeting; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

X. STAFF REPORTS

[16-449](#)

Water and Waste Water Monthly Report

[16-462](#)

Rental Agreement with Intermountain Sweeper for the Rental of a Sweeper.

[16-464](#)

Community Development Monthly Report

[16-466](#)

Monthly Communications Report - October 2016

[16-470](#)

Erie Municipal Airport - November 2016 Monthly Report

[16-599](#)

State Highway 287 and Isabelle Road (AKA Erie Parkway) Proposed Improvements.

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

XII. EXECUTIVE SESSION

[16-474](#)

EXECUTIVE SESSION for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding the potential sale of Town property and impact fee credits.

General consensus of the Board was to postpone the Executive Session until the January 10, 2017 Regular Meeting.

XIII. ADJOURNMENT

Trustee Charles moved to adjourn the December 13, 2016 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Woog.

Mayor Pro Tem Gruber adjourned the meeting at 9:43 pm.