



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes

Board of Trustees

Tuesday, May 12, 2020

6:30 PM

**REGULAR MEETING to begin immediately after the URA Meeting;
BOARD ROOM via ZOOM**

I. CALL MEETING TO ORDER 6:45 p.m. or immediately after URA meeting

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: **Mayor Carroll**
Mayor Pro Tem Haid
Trustee Gippe
Trustee Van Woudenberg
Trustee Bell
Trustee Harrison
Trustee Loflin

III. APPROVAL OF THE AGENDA

A motion was made by Trustee van Woudenberg, seconded by Trustee Gippe, that this Agenda be approved. The motion carried by the following vote:

Aye: 7 - Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, and Trustee Loflin, Mayor Carroll at 7:03 p.m.

IV. CONSENT AGENDA

A motion was made by Trustee Harrison, seconded by Trustee Bell, that the Consent Agenda be approved. The motion carried by the following vote:

Aye: 7 - Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Mayor Carroll at 7:04 p.m.

[20-278](#) Approval of the April 24, 2020 Board of Trustees Meetings Minutes

Attachments: [Meeting Minutes BOT 04-28-2020](#)

[20-104](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Easement Agreement between the Town of Erie and Cellco Partnership d/b/a Verizon Wireless Allowing Utility Access through Town Property for Construction and Use of a Verizon Telecommunication Facility Located on Adjacent Private Property

Attachments: [1. Resolution](#)
[2. Easement and Exhibits](#)

[20-240](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Seventh Amendment to the Disposition and Development Agreement for the Nine Mile Project

Attachments: [DDA 7th Amend-DEVELOPER EXECUTED Resolution](#)

[20-254](#) A Resolution of the Board of Trustees of the Town of Erie Accepting Dedications as Shown on the Final Plat for the East Addition, Elrod Amendment Subdivision

Attachments: [Resolution](#)
[East Addition, Elrod Amendment \(Final Plat\)](#)
[Application and Narrative](#)
[Other Applicant Materials](#)
[Referral Agency Comments](#)

[20-259](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Permanent Utility Easement Agreement for Construction of a Town Sanitary Sewer Manhole and Sanitary Sewer Line in the Wild Rose Subdivision

Attachments: [Resolution](#)
[Easement Agreement](#)
[Initial Easement Area - Exhibit A to be amended](#)
[Location Map](#)

[20-262](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Joint Use Agreement Between the Aspen Ridge Preparatory School, Inc.

Attachments: [Resolution](#)
[Joint Use Agreement](#)

[20-264](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Professional Services Agreement with Wember, Inc. for Owner's Representation for Erie Community Park - Final Phase in the Amount of \$121,819

Attachments: [Resolution](#)
[Professional Services Agreement](#)

[20-267](#) A Resolution of the Board of Trustees of the Town of Erie Approving Change Orders No. 1 and 2 to the Agreement with Speigel Industrial LLC

for the 4MG Concrete Tank Lining Removal

Attachments: [Resolution](#)
[Change Orders](#)

[20-281](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Intergovernmental Agreement with Weld County for the CDBG Entitlement Program

Attachments: [Resolution on IGA with Weld County re CDBG Program 2020.05.12](#)
[2020.03.23 Letter from Weld County Chair](#)
[CDBG Flyer 2.1](#)
[Erie-HUD IGA](#)

V. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

VI. GENERAL BUSINESS

[20-230](#) 2020 National Public Works Week Proclamation

Attachments: [Proclamation](#)
[2020 NPWW Poster](#)

[20-261](#) Older Americans Month Proclamation

Attachments: [Proclamation](#)

[20-046](#) Honorary Proclamation Police Week and Peace Officers' Memorial Day May 15, 2020

Attachments: [2020 May Police Week proclamation](#)

[20-257](#) VFW Certificate Presentation

Attachments: [Certificate](#)

[20-176](#) Erie Municipal Airport Monthly Report - May 2020

Attachments: [Monthly Report](#) **Airport Manager, Jason Hurd spoke to the board.**

[20-109](#) PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving the Sunset Preliminary Plat with Conditions

The public hearing opened at 8:18 p.m. and 10 persons called in to comment.
The public hearing closed at 10:00 p.m.

Attachments: [Resolution](#)
[Preliminary Plat \(as presented on February 11\)](#)
[Staff Memo](#)
[Staff Presentation \(as presented on February 11\)](#)
[Applicant Presentation \(as presented on February 11\)](#)
[Applicant Narrative Materials dated 5.12.2020](#)
[Applicant Presentation dated 5.12.2020](#)
[Neighborhood Meeting 2 April 30, 2020](#)
[Applicant Narrative 5.15.2020](#)
[Preliminary Plat 5.15.20](#)

A motion was made by Mayor Pro Tem Haid, seconded by Trustee Loflin, that this Agenda Item moved to May 26, 2020. The motion carried by the following vote:

Aye: 7 - Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Mayor Carroll at 10:13 p.m.

20-287 PUBLIC HEARING: Third Amended and Restated Service Plan for Sunset Parks Metropolitan District

Attachments: 5.12.2020 Public Hearing- Sunset Parks Metro District

A motion was made by Trustee Gippe, seconded by Trustee Harrison, that this Agenda Item be moved to May 26, 2020. The motion carried by the following vote:

Aye: 7 - Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Mayor Carroll at 10:18 p.m.

Due to time constraints of the meeting, the executive session scheduled for tonight will be moved to May 16, 2020. The Board of Trustees determined to take a five-minute recess and return to begin Item 20-253. (10:20-10:25 p.m.)

20-253 PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Approving with Conditions the Parkdale P.U.D. Overlay Map, Amendment No. 2

The public hearing was opened at 10:25 p.m. and John Prestwich called in to comment. The public hearing closed 11:05 p.m.

- Attachments:** [Staff Report](#)
[BOT Ordinance](#)
[Existing Parkdale PUD Overlay Map](#)
[Proposed PUD document red lined](#)
[Proposed PUD document clean](#)
[Planning Commission Resolution P20-10](#)
[Planning Commission Meeting Minutes 04-15-2020](#)
[Application and Narrative](#)
[Other Applicant Materials](#)
[Referral Agency Comments](#)
[Neighborhood Meeting Summary](#)
[Notifications](#)
[Public Comment](#)
[Applicant Presentation](#)
[Staff Presentation](#)

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 Woudenberg, Mayor Pro Tem Haid and Mayor Carroll at 11:15 p.m.

20-235 A Resolution of the Board of Trustees of the Town of Erie Approving the Expenditure of Up To \$120,000 For Construction of A Storage Barn On the Allan Farms Open Space Property

- Attachments:** Resolution
 Armstrong Steel Quote

This item was continued to the May 19, 2020 Special Meeting.

20-263 A Resolution of the Board of Trustees of the Town of Erie Approving a Professional Services Agreement with Design Concepts for Erie Community Park - Final Phase Construction Documents in the Amount of \$487,683

- Attachments:** [Resolution](#)
[Professional Services Agreement](#)

This item was continued to the May 19, 2020 Special Meeting.

[20-283](#) Follow-up from May 5th Study Session Discussion of 2020 Forecast - COVID-19 Impact, Options, Actions and Reopening Plans

Attachments: [Pandemic Budget Options 2020.05.08](#)
[April 24 email and attachments](#)

This item was moved to the May 19, 2020 Board Meeting as a Special Meeting. The study session will include the Planning Commission Interviews at 6 p.m. followed by the First Amendment Auditors presentation. All other study session items were moved to the June 16, 2020 Study Session.

[20-236](#)

A Resolution of the Board of Trustees of the Town of Erie approving an Agreement for Professional Services with Baseline Corp for North and South Roundabout Gateways to Town Center Peel Analysis in the Amount not to Exceed \$89,417

Attachments: [Resolution](#)
[Consultant Agreement](#)
[North-South Town Center Roundabout Gateway Analysis RFP](#)
[Baseline Corp Submittal](#)
[Baseline Corp Fee Structure](#)

This item was moved to the May 19 Special Meeting.

[20-258](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Professional Services Agreement with SGM, Inc. for the Design of the Mobile Bypass System

Attachments: [Resolution](#)
[Services Agreement](#)

A motion was made by Trustee Gippe, seconded by Trustee Harrison, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 7
 Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Mayor Carroll at 11:25 p.m.

[20-237](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Fourth Amendment to the Lynn R. Morgan Water Treatment Facility Expansion CMAR Contract With Garney Companies, Inc.

Attachments: [Resolution](#)
[CMAR 4th Amend.docx](#)

A motion was made by Trustee Harrison, seconded by Trustee van Woudenberg, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 7
 Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Mayor Carroll at 11:35 p.m.

20-238 A resolution of the Board of Trustees of the Town of Erie Approving Change Order No. 1 to the Agreement with Burns & McDonnell Engineering Company, Inc. for the design of the Hydroelectric Facility to Provide Construction Administration Services in the Amount of \$169,158

Attachments: [Resolution](#)

[Change Order 1](#)

A motion was made by Trustee Harrison, seconded by Trustee van Woudenberg, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 7 Mayor Pro Tem Haid, Trustee Gippe, Trustee van Woudenberg, Trustee Bell, Trustee Harrison, Trustee Loflin, and Trustee Carroll

VII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Bell asked that Michael Hoover's application for HBAB be included in the applicant pool for the board's vacancies.

Trustee van Woudenberg asked for a report on oil and gas in an upcoming meeting.

VIII. EXECUTIVE SESSION

20-286

Executive session to hold a conference with the Town attorney and special counsel to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), on the following topics: AIG's denial of the Town's insurance claim; the Erie Thriving litigation; and settlement of potential litigation.

The Executive Session was moved to the May 26, 2020 Board Meeting.

IX. ADJOURNMENT 11:40 p.m.