



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### BOARD OF TRUSTEES MEETING

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Tuesday, March 13, 2018

6:30 PM

Board Room

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#### STUDY SESSION 5:45 PM IN THE COMMUNITY ROOM

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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 March 13, 2018 Regular Meeting to order at 6:30 pm.

#### II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

**Excused:** 1 - Trustee Charles

#### III. APPROVAL OF THE AGENDA

Trustee Schutt moved to approve the March 13, 2018 Meeting Agenda; the motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.

#### IV. CONSENT AGENDA

[18-105](#)

Approval of the February 27, 2018 Meeting Minutes

[18-094](#)

A Resolution Authorizing the Purchase of Selectorized and Strength Equipment From Advanced Exercise Equipment in the Amount of \$93,307.52

[18-100](#)

A Resolution Authorizing the Award of a Consultant Contract to JR Engineering, LLC for the Zone 3 Waterline Improvements Phase 2 in The Amount of \$116,713.00 and a Contingency amount not to exceed

\$23,287.00.

[18-101](#) A Resolution Authorizing the Award of a Consultant Contract to Merrick & Company for the Water Master Plan Update for Potable and Non-Potable and a Water Asset Management Plan in The Amount of \$125,000.00 and a Contingency amount not to exceed \$25,000.00.

[18-102](#) A Resolution Of The Town Of Erie, Colorado Authorizing Payment To Boulder County For Emergency Dispatch Services Provided To The Town Of Erie Police Department For The 2018 Calendar Year In The Amount Of \$101,500.00; And Setting Forth Details In Relation Thereto.

[18-104](#) A Resolution Authorizing a Community Organization Grant To Erie High School After Prom Committee in the Amount of \$2,500.00; And Setting Forth Details In Relation Thereto.

[18-110](#) A Resolution to Appropriate Funds for Construction of Linear Trail Connection

**Trustee Schutt moved to approve the March 13, 2018 Consent Agenda; the motion was seconded by Trustee Deakin. The motion carried with the following roll call vote:**

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

## **V. PUBLIC COMMENT**

**Ray Schlott of 225 Meadow Lane, Erie, Colorado, gave public comment in support of ballot issue 3A.**

**Amber Warlock of 57 Sunshine Circle, Erie Colorado and Crystal Pierce of 1112 Cost Street, gave public comment to thank the Board of Trustees for the support through grants to the community contribution for the Erie After Prom.**

**Bradley Beck of 1277 St. John, Erie, Colorado, gave public comment on concerns related to Agenda Item 18-107.**

## **VI. PROCLAMATIONS AND PRESENTATIONS**

## **VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES**

[18-112](#) PUBLIC HEARING (Continued from March 13, 2018 and March 27, 2018): 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. FIRST READING (Continued).

**Mayor Harris opened the Public Hearing for Agenda Item 18-112 and Agenda Item 113 at 6:38 pm.**

**Ken Martin, Chair of Open Space & Trails Advisory Board, of 1106 Cooke Court,**

Erie, Colorado, gave public comment on the marsh land and the development's potential impact on wildlife.

Monica Kash, Vice Chair of Open Space & Trails Advisory Board, of 1611 Pickett Court, Erie, Colorado, gave public comment on the impact on the wetlands area and the need for trails.

Michael Meier, owner of Tri County Storage, of 5652 S. Delaware Street, Littleton, Colorado gave public comment on oil and gas concerns.

John Meier, owner of Tri County Storage, 162 Delaware Street, Louisville, Colorado, gave public comment regarding the possible impact on his business and property.

The public hearing for Agenda Item 18-112 and Agenda Item 113 will be continued to the March 27, 2018 Regular Meeting.

[18-113](#)

PUBLIC HEARING (Continued from March 13, 2018 and March 27, 2018): 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.

The public hearing for Agenda Item 18-112 and Agenda Item 113 will be continued to the March 27, 2018 Regular Meeting.

## **VIII. RESOLUTIONS**

[18-106](#)

A Resolution Of The Board Of Trustees Of The Town Of Erie, Colorado, In Support Of Ballot Measure 3A Appearing On The April 3, 2018 Ballot, A Tabor Election, For The Town Hall Expansion.

Trustee Deakin moved to approve Agenda Item 18-106; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

[18-107](#)

A Resolution Of The Town Of Erie, Colorado, Authorizing The Town Attorney To Sign On Behalf Of The Town Of Erie, Colorado An Amicus Curiae Brief In Support Of The Respondents/Appellants (Martinez, et al.) In Colorado Oil And Gas Conservation Commission V. Martinez (2017SC297); And, Setting Forth Details In Relation Thereto.

Trustee Deakin moved to approve Agenda Item 18-107; the motion was seconded by Trustee Carroll. The motion carried with all present voting in favor thereof.

[18-119](#)

A Resolution Authorizing The Town Of Erie, Colorado, To Enter Into Encroachment License Agreement With Kerr-Mcgee Gathering, LLC For Construction Of Oil And Gas Related Pipelines In The Town Right-Of-Way

Trustee Schutt moved to approve Agenda Item 18-119; the motion was seconded by Trustee Woog. The motion carried with a four (4) for and two (2) against vote with Trustee Carroll and Trustee Deakin voting no.

## **IX. ORDINANCES**

**X. GENERAL BUSINESS****XI. STAFF REPORTS****XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS**

Trustee Carroll requested a consensus from the Board of Trustees on the future of the Sustainability Ad-Hoc. There was discussion on whether to continue the ad-hoc as is, establish the ad-hoc as a committee, or combine the ad-hoc with the Tree Board.

The Sustainability Ad-Hoc was approved to become a committee with a six (6) for and one (1) against vote with Trustee Woog voting no. An ordinance adding Sustainability as a committee will be on the March 27, 2018 Regular Meeting.

**XIII. EXECUTIVE SESSION**

[18-103](#)

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 current negotiations regarding the Denver Regional Landfill, Front Range Landfill, and Waste Connections of Colorado, Inc.

Mayor Pro Tem Gruber moved to go into 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 current negotiations regarding the Denver Regional Landfill, Front Range Landfill, and Waste Connections of Colorado, Inc. The motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

Mayor Harris announced; It's Tuesday, March 13, 2018, and the time is 8:56 pm. For the record, I am the presiding officer, Mayor Harris. 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 Mark Gruber, Trustees Waylon Schutt, Geoff Deakin, Dan Woog, Jennifer Carroll, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Assistant to the Town Administrator Farrell Buller, Todd Bjerkaas, Director of Planning & Development; Chad Taylor, Environmental Planner; and Town Attorney Mark Shapiro.

Mayor Harris announced; The time is now 9:18 pm, and the executive session has been concluded. The participants in the executive session:

Mayor Pro Tem Mark Gruber, Trustees Waylon Schutt, Geoff Deakin, Dan Woog, Jennifer Carroll, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Assistant to the Town Administrator Farrell Buller, Todd Bjerkaas, Director of

Planning & Development; Chad Taylor, Environmental Planner; 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.

#### **XIV. ADJOURNMENT**

Trustee Woog moved to adjourn the March 13, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.