



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes

Board of Trustees

Tuesday, November 14, 2023

6:30 PM

Town Hall Board Room

In-Person Meeting

Watch or Comment Virtually: <https://bit.ly/BOT2ndTuesday2023>

I. Call Meeting to Order and Pledge of Allegiance

Mayor Pro Tem Loflin called the meeting to order at 6:34 p.m.

II. Roll Call

Present: 6 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Hoback
Trustee Sawusch

Absent: 1 - Mayor Brooks

III. Approval of the Agenda

Mayor Pro Tem Loflin announced that Item 23-549; A Resolution of the Board of Trustees of the Town of Erie Adopting the Town's Fee Schedule was being pulled from the agenda due to errors found on the Fee Schedule. This item will be brought back before the Board of Trustees at their regular meeting on November 28, 2023.

Trustee Bell asked that Item 23-509; A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project and Item 23-516; A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to increase the Hourly Compensation Rate be moved from the Consent Agenda to General Business.

Trustee Bell made a motion to approve the amended agenda. Trustee Baer seconded the motion. The motion passed by the following vote at 6:37 p.m.

Ayes 6 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Hoback
Trustee Sawusch

Absent 1 - Mayor Brooks

IV. Consent Agenda

[23-538](#) Approval of the October 24, 2023, Board of Trustees Meeting Minutes

Attachments: [10-24-2023 BOT Minutes](#)

[23-478](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with Fehr & Peers for a Transportation Mobility Plan

Attachments: [Resolution 23-117](#)
[Transportation Mobility Plan PSA - Fehr & Peers](#)

[23-509](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project

Attachments: [Resolution 23-140](#)
[Third Amendment](#)

This item was moved to General Business.

[23-510](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Professional Services Agreement with RockSol Consulting for Design and Post-Design Services for the Weld County Road 3 Bridge Replacement Project

Attachments: [Third Amendment](#)
[Res 23-138](#)
[Location Map](#)

[23-516](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to Increase the Hourly Compensation Rate

Attachments: [Resolution 23-120](#)
[Third Amendment to Professional Services Agreement](#)

This item was moved to General Business.

[23-520](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Second Amendment to the Agreement with HDR Engineering, Inc. for the Design of the Water Reclamation Facility Expansion

Attachments: [Resolution 23-125](#)
[Contract Amendment](#)

[23-527](#) A Resolution of the Board of Trustees of the Town of Erie Adopting Modifications to the Rules and Regulations Governing the Erie Cemetery

Attachments: [Resolution 23-123](#)
[Erie Cemetery Rules & Regulations](#)

[23-529](#) Approval to Amend the Board of Trustees 2023 Meeting Schedule cancelling the December 26, 2023 meeting.

[23-531](#) A Resolution of the Board of Trustees of the Town of Erie Approving Contract Amendment 1 to the Construction Contract with L4 Construction, LLC, for the Lagoon Conversion to Stormwater Quality Pond and Demolition of the South Water Reclamation Facility Improvements.

Attachments: [Resolution 23-129](#)
[Contract Amendment](#)

[23-534](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for the Canyon Creek Filing No. 7 Subdivision

Attachments: [Resolution No. 23-132](#)
[Development Agreement](#)
[Canyon Creek Filing No. 7 Subdivision Plat.pdf](#)

[23-536](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Second Amendment to Development Agreement for Colliers Hill Subdivision Filing No. 4G

Attachments: [Resolution 23-127](#)
[Second Amendment to Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)
[Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)
[First Amendment to Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)
[Memo from Developer](#)

[23-562](#)

Attachments: [Resolution 23-144](#)
[Fleming Employment Agreement 4th Amendment 2023.01.24](#)
[Malcolm Fleming - PDP 2023.11.14](#)

[23-554](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the 2024 Legislative Agenda

Attachments: [2023-2024 Legislative Policy Agenda](#)
[Town of Erie legislative engagement tools](#)
[Resolution 23-142](#)

[23-543](#) A Resolution of the Board of Trustees of the Town of Erie Consenting to the Mayor's Appointment of Ashraf Shaikh to the Board of Commissioners of the Town of Erie Urban Renewal Authority

Attachments: [Resolution 23-137](#)

[23-545](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for Canyon Creek Filing No. 8 Subdivision

Attachments: [Resolution No. 23-133](#)
[Development Agreement](#)
[Canyon Creek Filing No. 8 Subdivision Plat](#)

[23-547](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for Erie Junction

Attachments: [Resolution No. 23-134](#)
[Development Agreement](#)
[Erie Junction Subdivision Plat](#)

[23-548](#) A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to Development Agreement for Sunset Filing No. 1

Attachments: [Resolution No. 23-135](#)
[First Amendment to Sunset Filing No.1 Development Agreement](#)

Trustee Harrison made a motion to approve the Consent Agenda. Trustee Bell seconded the motion. The motion passed by the following vote at 6:37 p.m.

Ayes 6 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Hoback
Trustee Sawusch

Absent 1 - Mayor Brooks

V. Public Comment On Non-Agenda and Consent Items only.

Mayor Pro Tem Loflin read the Public Comment Rules and opened Public Comment at 6:38 p.m.

The following spoke:

- 1. Jennipher Jobe spoke about Erie Village/Coal Creek Project

With no additional speakers, Mayor Pro Tem Loflin closed Public Comment at 6:42 p.m.

VI. General Business

[23-509](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project

Attachments: [Resolution 23-140](#)
[Third Amendment](#)

Trustee Bell asked that this item be moved to General Business for discussion.

Chad Alexander, Facility Operation Services Manager, and Todd Fessenden, Director of Public Works, answered questions from Board of Trustee members beginning at 6:43 p.m.

Trustee Baer made a motion to approve Resolution 23-140. Trustee Hoback seconded the motion. The motion passed by the following vote at 6:54 p.m.

Ayes 5 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Hoback

Nayes 1 - Trustee Sawusch

Absent 1 - Mayor Brooks

[23-516](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to Increase the Hourly Compensation Rate

Attachments: [Resolution 23-120](#)
[Third Amendment to Professional Services Agreement](#)

Trustee Bell asked that this item be moved to General Business for

discussion.

Austin Pierce-Flanagan, Town Attorney, answered questions from Board of Trustee members beginning at 6:55 p.m.

Trustee Bell made a motion to table the item until November 28, 2023, when it will be discussed during Executive Session. Trustee Sawusch seconded the motion. The motion passed by the following vote at 7:04 p.m.

Ayes 4 - Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Sawusch

Nayes 2 - Mayor Pro Tem Loflin
Trustee Hoback

Absent 1 - Mayor Brooks

[23-560](#) Presentation of 90 Second Celebration Video

Melissa Wiley, Deputy Town Administrator, introduced the item at 7:05 p.m.

[23-553](#) Public Hearing: An Ordinance of the Board of Trustees of the Town of Erie Summarizing Expenditures and Revenues for each Fund, Adopting a Budget for the Town of Erie for the 2024 Budget Year, and Appropriating Sums of Money to the Various Town Funds for the 2024 Budget Year.

Attachments: [Ordinance 030-2023](#)
[Schedule A](#)
[2024 Budget Memo](#)
[Schedule of Reports](#)
[Presentation](#)

Mayor Pro Tem Loflin opened the Public Hearing at 7:18 p.m.

Kristin Bruner, Finance Budget Analyst, and Cassie Bethune, Finance Manager, presented the item at 7:19 p.m.

With no speakers in-person or online virtually, Mayor Pro Tem Loflin closed the Public Hearing at 7:51 p.m.

Trustee Harrison made a motion to approve Ordinance 030-2023. Trustee Hoback seconded the motion. The motion passed by the following vote at 7:58 p.m.

Ayes 4 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Harrison
Trustee Hoback

Nayes 2 - Trustee Bell
Trustee Sawusch

Absent 1 - Mayor Brooks

[23-549](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the Town’s Fee Schedule

Attachments: [Resolution 23-141](#)

This item was removed from tonight's agenda. It will be scheduled for the Board of Trustees regular meeting on November 28, 2023.

[23-563](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Designating Portions of General Fund Reserves for Specific Purposes.

Attachments: [Resolution 23-143](#)
[GF Reserve Calculation Worksheet](#)

Malcolm Fleming, Town Administrator, presented the item at 7:59 p.m.

Trustee Baer made a motion to approve Resolution 23-143. Trustee Harrison seconded the motion. The motion passed by the following vote at 8:28 p.m.

Ayes 6 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Bell
Trustee Harrison
Trustee Hoback
Trustee Sawusch

Absent 1 - Mayor Brooks

[23-552](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Intergovernmental Agreement to Participate in a Minimum Wage Study

Attachments: [Presentation](#)
[Regional Minimum Wage Cost Sharing IGA 2023 20231102](#)
[Resolution 23-136](#)

Stephanie Pitts-Noggle, Economic Development Manager, and Alberto De Los Rios, Diversity, Equity and Inclusion Manager presented the item at 8:30 p.m.

Trustee Harrison made a motion to approve Resolution 23-136. Trustee Baer seconded the motion. The motion passed by the following vote at 9:21 p.m.

Ayes 4 - Mayor Pro Tem Loflin
Trustee Baer
Trustee Harrison
Trustee Hoback

- Nayes** 2 - Trustee Bell
Trustee Sawusch
- Absent** 1 - Mayor Brooks

[23-559](#) **Transportation Planning Updates**

Attachments: [Transportation Planning Updates Presentation](#)

Miguel Aguilar, Senior Transportation Planner, presented the item at 9:21 p.m.

VII. Staff Reports

[23-511](#) Bi-Monthly Vector Air Airport Report

Attachments: [Airport Report](#)

VIII. Board Member Reports and Announcements

Board members spoke about the Open House at the Erie Police Department on November 15, Leaf Composting on November 18, the Recycling Center is capable of accepting composting, Parade of Lights on December 1, Thank You to all those came out to vote and a very Happy Thanksgiving to all.

IX. Adjournment

Mayor Pro Tem Loflin adjourned the meeting at 10:19 p.m.