



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Draft

### BOARD OF TRUSTEES MEETING

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Tuesday, March 14, 2017

6:30 PM

Board Room

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Pre-Meeting Community Room 5:45 PM

#### 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 March 14, 2017 Regular Meeting of the Town of Erie  
Board of Trustees to Order at 6:30pm.

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

Present: 7 - Mayor Harris  
Mayor Pro Tem Gruber  
Trustee Carroll  
Trustee Schutt  
Trustee Charles  
Trustee Woog  
Trustee Deakin

#### III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the March 14, 2017 Regular Meeting Agenda;  
the motion was seconded by Trustee Schutt. The motion carried with all present  
voting in favor thereof.

Aye: 7 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Schutt, Trustee  
Charles, Trustee Woog, and Trustee Deakin

#### IV. CONSENT AGENDA

[17-108](#) Approval of the February 28, 2017 Meeting Minutes

[17-107](#) A Resolution Authorizing The Purchase Of 2017 Approved Units In The  
Amount Of \$113,842, And Setting Forth Details In Relation Thereto.

[17-116](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado

Accepting Dedications As Shown In The Colliers Hill Filing No. 4A Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4A Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of The Dedications And Development Agreement; And, Setting Forth Details In Relation Thereto.

[17-117](#)

A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Colliers Hill Filing No. 4B Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4B Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of The Dedications And Development Agreement; And, Setting Forth Details In Relation Thereto.

[17-118](#)

A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Colliers Hill Filing No. 4C Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4C Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of The Dedications And Development Agreement; And, Setting Forth Details In Relation Thereto.

[17-120](#)

An Ordinance Amending The Investment Policy For The Town Of Erie Colorado; And, Setting Forth Details In Relation Thereto. (Second Reading)

**Trustee Charles moved to approve the March 14, 2017 Consent Agenda; the motion was seconded by Trustee Schutt. The motion carried with the following roll call vote:**

**Aye:** 7 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

## **V. PUBLIC COMMENT**

Liz Fisher-635 Moffat Street, Erie, CO. expressed issued regarding Oil and Gas drilling in Erie.

Judy Bradford-1923 Briarwood Place, Erie, CO. expressed concerns over allowing Golf Carts on trails and roads.

Jim Low-1997 Lodgepole Drive, Erie, CO. spoke in favor of a Golf Cart access to the Recreation Center and downtown Erie.

Marie Clark-1997 Lodgepole Drive, Erie, CO. also spoke in favor of Golf Cart trails to the Recreation Center and downtown Erie.

Paul Erdman-1580 Alpine Court, Erie, CO. also spoke in favor of Golf Cart trails to the Recreation Center and downtown Erie.

## **VI. PROCLAMATIONS AND PRESENTATIONS**

NONE

**VII. ORDINANCES****17-061**

An Ordinance Authorizing the Issuance and Sale of Town of Erie, Colorado, Taxable (Converting to Tax-Exempt) Water Enterprise Revenue Refunding Bonds, Series 2017, Payable Solely Out of the Net Revenues to be Derived from the Operation of the Town's Water Enterprise; Providing Other Details Concerning the Bonds, Including, Without Limitation, Covenants and Agreements in Connection Therewith; and Declaring an Emergency.

**Mayor Pro Tem Gruber moved to suspend Resolution 02-44 to pass Agenda Item 17-061 on the First Reading and as an Emergency; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.**

**Trustee Charles moved to approve Agenda Item 17-061 on an Emergency; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.**

**Aye:** 7 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

**17-121**

An Ordinance of the Town of Erie, Colorado, Authorizing the Town to Quitclaim and Transfer Certain Real Property to the Housing Authority of the Town of Erie Without Restrictions on Use; Setting Forth Details in Relation Thereto; And, Declaring an Emergency Therefore.

**Mayor Pro Tem Gruber moved to suspend Resolution 02-44 to pass Agenda Item 17-121 on the First Reading and as an Emergency; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.**

**Trustee Charles moved to approve Agenda Item 17-121 on an Emergency; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.**

**Aye:** 7 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

**VIII. EXECUTIVE SESSION****17-097**

EXECUTIVE SESSION for a conference with the Town Attorney and Special Counsel 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 regarding negotiations with oil and gas companies.

**Trustee Carroll moved to go into Executive Session for a conference with the Town Attorney and Special Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402-4b, specifically to receive legal advice regarding negotiations with Oil and Gas Operators. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor**

thereof.

Mayor Harris announced it's Tuesday, March 14, 2017 and the time is 6:47 pm. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded. Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Dan Woog, Scott Charles, Jennifer Carroll, Waylon Schutt, and Geoff Deakin; Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Community Development Director Marty Ostholtzoff; Special Counsel John T. Sullivan and Barbara Green; and, Town Attorney Mark Shapiro.

Upon completion of the executive session, Mayor Harris announced, The time is now 7:59 pm and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Dan Woog, Scott Charles, Jennifer Carroll, Waylon Schutt, and Geoff Deakin; Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Community Development Director Marty Ostholtzoff; Special Counsel John T. Sullivan and Barbara Green; 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 the 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.

Seeing none, the next agenda item is Resolutions

## **IX. RESOLUTIONS**

### **17-113**

A Resolution of the Town of Erie, Colorado, Appointing Relief Judges For the Erie Municipal Court; And, Setting Forth Details in Relation Thereto.

Trustee Charles moved to approve Agenda Item 17-113; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

**Aye:** 7 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Carroll, Trustee Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

### **17-114**

PUBLIC HEARING: A Resolution By The Board Of Trustees Of Erie, Colorado Making Certain Findings Of Fact And Conclusions Favorable To The Flatiron Meadows Preliminary Plat, Amendment No. 2; Imposing Conditions Of Approval; Approving the Flatiron Meadows Preliminary Plat, Amendment No. 2 With Conditions; And Setting Forth Details In Relation Thereto

Mayor Harris opened the Public Hearing for Agenda Item 17-114 at 8:01 pm.

Todd Bjerkas, Senior Planner presented staff recommendations for the approval

of this item.

Testimony for the applicant was heard from:

Chad Murphy of HT Flatiron LP

Brian Moss of Calibre Engineering

Amanda Nilemo of Toll Brothers

Following Board questions and discussions Mayor Harris closed the Public Hearing for Agenda Item 17-114.

Trustee Charles moved to approve Agenda Item 17-114; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with a (6) six for and (1) one against vote; with Trustee Schutt voting no.

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

**Nay:** 1 - Trustee Schutt

[17-115](#)

A Resolution Approving an Agreement with Pinyon Environmental, Inc. to Monitor Oil & Gas Operations at the Pratt and Waste Connections Well Sites.

Trustee Charles moved to approve Agenda Item 17-115; the motion was seconded by Trustee Schutt. The motion carried with a (5) five for and (2) two against vote; with Mayor Pro Tem Gruber and Trustee Woog voting no.

**Aye:** 5 - Mayor Harris, Trustee Carroll, Trustee Schutt, Trustee Charles, and Trustee Deakin

**Nay:** 2 - Mayor Pro Tem Gruber, and Trustee Woog

## **X. GENERAL BUSINESS**

[17-111](#)

Golf Cart Access Update

Public Works Director Gary Behlen presented three potential trail options. The Board consensus was to not make any decisions on this item at this meeting.

## **XI. STAFF REPORTS**

[17-102](#)

WCR 7 Speed Evaluation

[17-103](#)

Community Development Monthly Report

[17-122](#)

Monthly Communications Report – February 2017

## **XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS**

Trustee Woog asked for an update on the completion of Erie Parkway. Deputy Director Russell Pennington indicated he would have an updated schedule to the Board in a few days. In addition Trustee Woog asked if there had been any interest in property east of County Line Road and South of Bonnell. The Town Administrator indicated that there had been some.

Mayor Pro Tem Gruber asked the Town Administrator if the Town would be doing maintenance on Airport Drive. The Town Administrator asked for additional time to give him an answer. In addition Mayor Pro Tem reported that he had attended an I-25 Corridor Meeting on March 1st.

Mayor Harris reminded the Board of the upcoming groundbreaking for the St. Vrain Valley PK through 8 School in Erie would be Monday March 20th at 4:00pm. The Mayor's State of the Town Address is April 13th and if Board members are interested in participating to get their presentation information to her ASAP.

Trustee Woog announced that he would not be present at the March 28, 2017 Regular Meeting.

### **XIII. ADJOURNMENT**

Mayor Pro Tem Gruber moved to adjourn the March 14, 2017 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Harris adjourned the meeting at 10:19 pm