



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Draft

### BOARD OF TRUSTEES MEETING

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Tuesday, August 22, 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

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

Mayor Harris called the August 22, 2017 Regular Meeting of the Town of Erie  
Board of Trustee to Order at 6:30 pm.

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 August 22, 2017 Meeting Agenda with the  
amendment of moving Item VIII. Resolutions before Item VIII. Oil and Gas.; the  
motion was seconded by Trustee Deakin. 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

[17-314](#) Approval of the August 8, 2017 Meeting Minutes

[17-299](#) A Resolution Authorizing Award of a Construction Management Contract  
To Merrick and Company, For the High Zone Reuse Pump Station and  
Storage Tank In The Amount of \$150,000 for Construction Management

and \$15,000 for Contingency.

[17-300](#) A Resolution Authorizing Award of a Construction Contract To Velocity Constructors, Inc., For the High Zone Reuse Pump Station and Storage Tank In The Amount of \$1,719,957 for Construction and \$172,043 for Contingency.

[17-310](#) Consideration of A Resolution Authorizing the Award of a Construction Contract To Security Central Inc., for the installation of card access and video surveillance at the Leon A. Wurl Service Center and the installation of fire monitoring, card access and video surveillance at the North Water Reclamation Plant in the amount of \$170,537.45 and a Contingency amount of \$9,462.55 And Setting Forth Details In Relation Thereto

[17-312](#) A Resolution to Awarding a Construction Contract to Concrete Works of Colorado, Inc. for the Apron Rehabilitation at the Erie Municipal Airport; And Setting For Details in Relation Thereto.

[17-313](#) A Resolution Accepting Federal Aviation Administration Grant for AIP Project No. 3-08-0090-017-2017 Rehabilitate Apron In the Amount of \$352,964.00: And Setting Forth Details in Relation Thereto

[17-318](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Erie Highlands Filing No. 13 Final Plat; Authorizing The Appropriate Town Official To Sign The Erie Highlands Filing No. 13 Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of Erie Highlands Filing No. 13 Final Plat Dedications And Development Agreement; And, Setting Forth Details In Relation Thereto.

[17-325](#) A Resolution Supporting Northern Integrated Supply Project (NISP) Mitigation and Enhancement Plan; and Setting Forth Details in Relation Thereto.

**Mayor Pro Tem Gruber moved to approve the August 22, 2017 Consent Agenda; the motion was seconded by Trustee Deakin. 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**

Suzzette Kraus, 246 Yellowfin Drive, Erie, CO. expressed concerns about the pedestrian safety at the round-about on Erie Parkway.

## **VI. PROCLAMATIONS AND PRESENTATIONS**

[17-321](#)

Erie Police Department Citizen Certificate of Appreciation-Westley Cody

This Proclamation/Presentation was read into the record.

## **VII. RESOLUTIONS**

[17-320](#)

A Resolution Authorizing A Contract With Vantage Point Solutions, Inc. for the Town of Erie Municipal Broadband Assessment and Feasibility Study In The Amount of \$62,200.00; and, Setting Forth Details In Relation Thereto.

**Trustee Deakin moved to approve Agenda item 17-320; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with the following roll call vote:**

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

**Nay:** 1 - Trustee Woog

[17-317](#)

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

**Mayor Harris opened the Pubilc Hearing for Agenda item 17-317 at 6:47 pm.**

**Public Comment:**

**Julia Rhine, Brownstein Hyatt Farber Schreck, LLP , 410 Seventeenth Street, Suite 2200, Denver, CO. spoke against passage of this ordinance on behalf of the Colorado Oil and Gas Conservation Commission.**

**Steve Rane, Community Development Group, 2500 Arapahoe Avenue, Boulder, CO. expressed concerns regarding the impact to Developers if this ordinance was passed.**

**Andrew O'Connor, Erie, CO. encouraged the Board to approve this ordinance..**

**Bradley Beck, 1220 W. Devonshire, Erie, CO. spoke against this ordinance.**

**Mayor Harris continued the Public Hearing for Agenda Item 17-317 to the September 12, 2017 regular meeting. This was the first reading of Agenda Item 17-317 and it will be brought back to the September 12, 2017 for Board Action.**

[17-316](#)

An Ordinance Regarding The Morgan Hill PUD Zoning Map Amendment No. 1, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning Amendment. The Morgan Hill PUD Amendment No. 1 Proposes To Add Architectural Standards To The Approved PUD. (SECOND READING)

**Mayor Harris opened the Pubilc Hearing for Agenda Item 17-316 at 7:06 pm, following Staff Presentation, she closed the Public Hearing at 7:11pm. This was**

the first reading of Agenda Item 17-316 and it will be brought back to the September 12, 2017 regular meeting for Board action.

[17-322](#)

An Ordinance Of The Town Of Erie, Colorado, Enacting Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-13, Entitled "Sealing Of Records," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto.

**This Ordinance was introduced on first reading.**

[17-323](#)

An Ordinance Of The Town Of Erie, Colorado, Revising Title 6, "Police And Traffic Regulations," Chapter 11, "Motor Vehicles And Traffic," Section 6-11-1, Entitled "Model Traffic Code," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto. SECOND READING

**This Ordinance was introduced on first reading.**

[17-324](#)

An Ordinance Of The Town Of Erie, Colorado, Revising Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-4.B, Entitled "Penalty Provision Generally," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto. SECOND READING

**This Ordinance was introduced on first reading.**

## **X. GENERAL BUSINESS**

[17-326](#)

Anadarko Operator Agreement BMP

Representatives from Anadarko provided a Power Point presentation to the Board with their Best Management Practices. They were looking for a general consensus on pending agreements for well sites. Specifically the Shumaker Site and the Summerfield Sites. General consensus was for Anadarko to continue to pursue an Operator Agreement. The Town Administrator will take Board feedback to further negotiations on these sites.

[17-306](#)

Sketch Plan Review - Dearmin Property

**This General Business was read into the record.**

## **XI. STAFF REPORTS**

[17-307](#) Water and Waste Water Monthly Report

[17-308](#) Fall Clean Up

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

Trustee Woog noted that Paula Mehle, Economic Development Manager was taking a new position with the City of Evans and wished her well. Mayor Pro Tem Gruber asked for report on ICSC. In addition Mayor Pro Tem Gruber asked about the water line project on the South Side of Town. Public Works Director noted that the line was water quality and future use. Trustee Schutt reminded Citizens of Fall Clean up Day on September 9th. Trustee Carroll asked Public Works Director about going over permit limits, Gary Behlen noted that our plants can handle this and we weren't in violation. Trustee Carroll also asked Parks and Recreation Director Farrell about the recent Tree Trimming in Town. Citizens were notified and given the option of the Town pruning or removing trees at the Town's expense.

## **XIII. EXECUTIVE SESSION**

[17-297](#) EXECUTIVE SESSION for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the Annual performance evaluation of Town Administrator AJ Krieger.

Trustee Carroll moved to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the Annual performance evaluation of Town Administrator AJ Krieger. The motion was seconded by Trustee Charles.

Mayor Harris announced that it's Tuesday, August 22, 2017, and the time is 9:01 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.

Upon returning to the open meeting Mayor Harris announced, the time is now 11:01 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; and Town Administrator A.J. Krieger.

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 adjournment.

#### **XIV. ADJOURNMENT**

Trustee Charles moved to adjourn the August 22, 2017 regular meeting of the Town of Erie Board of Trustees. The motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Mayor Harris adjourned the meeting 11:02 pm.