



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Draft

### BOARD OF TRUSTEES MEETING

---

Tuesday, January 9, 2018

6:00 PM

Board Room

---

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 6:00 PM IN THE BOARD ROOM

#### I. CALL MEETING TO ORDER

Mayor Harris called the January 9, 2018 Regular Meeting to order at 6:00 pm.

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

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

**Absent:** 1 - Trustee Schutt

#### III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the January 9, 2018 Meeting Agenda; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

#### IV. EXECUTIVE SESSION

[18-005](#)

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 oil and gas litigation; and, 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 negotiations regarding an oil and gas operator agreement.

Trustee Deakin 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(4)(b), specifically, to receive legal advice regarding oil and gas litigation; and, 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 negotiations regarding an oil and gas operator agreement. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Harris announced; It's Tuesday, January 9, 2018, and the time is 6:02 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 Dan Woog, Scott Charles, Jennifer Carroll, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Chad Taylor, Environmental Planner; Special Counsel John Sullivan; and Town Attorney Mark Shapiro.

Mayor Harris announced; The time is now 7:07 pm, and the executive session has been concluded. The participants in the executive session:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber, Trustees Dan Woog, Scott Charles, Jennifer Carroll, and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Assistant to the Town Administrator Marty Ostholthoff; Chad Taylor, Environmental Planner; Special Counsel John Sullivan; 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.

Hearing none the Mayor moved onto the next agenda item.

## **V. CONSENT AGENDA**

- [18-001](#) Approval of December 12, 2017 Meeting Minutes
- [18-002](#) A Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the Town of Erie, Colorado.
- [18-003](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Authorizing Payment to IMA of Colorado For Providing Liability, And Property Insurance To The Town For 2018 In The Amount Of \$285,195.80.00; And Setting Forth Details In Relation Thereto.
- [18-004](#) A Resolution Of The Board Of Trustees Of The Town Of Erie, Colorado Authorizing Payment To Pinnacol Assurance For Providing Workers'

Compensation Insurance To The Town For 2018 In The Amount Of \$207,863.00; And Setting Forth Details In Relation Thereto.

- [18-007](#) A Resolution Authorizing Payments To Various Vendors Providing Services To The Town for 2018
- [18-008](#) A Resolution Awarding Various Services Contracts For 2018 To Various Contractors for Services/Supplies; And Setting Forth Details In Relation Thereto.
- [18-009](#) A Resolution Approving an Intergovernmental Agreement Between the Town of Erie and Weld County Locating a Mail Ballot Drop-Off Box and Surveillance Recording System at the Erie Community Center.
- [18-017](#) A Resolution Of The Town Of Erie, Colorado Updating And Adopting The Three Mile Plan For The Town Of Erie, Colorado.
- [18-025](#) A Resolution Of The Board Of Trustees Of The Town Of Erie, Colorado Authorizing Payment To Anthem Blue Cross And Blue Shield Of Colorado For Providing Medical Insurance To The Town Employees for 2018 In The Net Amount of \$1,665,000 And Setting Forth Details In Relation Thereto.
- [18-026](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Authorizing the Town of Erie to Join the Colorado State Investment Pool; and Setting Forth Details in Relation Thereto.
- [18-029](#) A Resolution for the Town of Erie Acting By And Through Its Erie Water Activity Enterprise ("Erie") to Enter Into Second Interim Agreement for Increasing the Capacity of the Southern Water Supply Project Eastern Phase, and Setting Forth Details in Relation Thereto.
- [17-445](#) An Ordinance Of The Town Of Erie, Colorado, Enacting Title 6, "Police And Traffic Regulations," Chapter 6, "Offenses Against Property," Section 6-6-15, Entitled "Fire Setting," Of The Municipal Code Of The Town Of Erie And Revising Title 5, "Public Health And Safety," Chapter 1, "Abatement Of Nuisance Code," Section 5-1-6.F, Entitled "Specific Nuisances Enumerated," Of The Municipal Code Of The Town Of Erie, And Setting Forth Details In Relation Thereto. (SECOND READING)
- [17-446](#) An Ordinance Of The Town Of Erie, Colorado, Enacting Title 6, "Police And Traffic Regulations," Chapter 10, "Miscellaneous Offenses," Section 6-10-13, Entitled "Posting, Possession, Or Exchange Of Private Image By A Juvenile," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto. (SECOND READING)
- [17-448](#) An Ordinance Authorizing The Town Of Erie, Colorado, To Enter Into The Second Amendment To The Lease Agreement With Option To Purchase

With Echo Brewing Cask & Barrel, Inc.; Authorizing And Directing The Appropriate Town Officers To Sign Said Second Amendment; And, Setting Forth Details In Relation Thereto. (SECOND READING)

Trustee Charles moved to approve the January 9, 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 Charles, Trustee Woog, and Trustee Deakin

## **VI. PUBLIC COMMENT**

## **VII. PROCLAMATIONS AND PRESENTATIONS**

- [17-436](#) Airport Manager's Report
- [18-015](#) Municipal Broadband Assessment and Feasibility Study Report
- [18-021](#) Town of Erie Mayor's Proclamation in Support of Radon Action Month in Colorado

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

- [18-030](#) PUBLIC HEARING: Consideration Of Resolution Regarding Erie Gateway South Annexation No. 7; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation

Mayor Harris opened the Public Hearing for Agenda Item 18-030 and Agenda Item 18-032 at 7:34 pm. Hearing that no one wished to make public comment, the Mayor closed the Public Hearing at 7:53 pm.

Trustee Deakin moved to approve Agenda Item 18-030; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

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

- [18-031](#) An Ordinance Annexing Erie Gateway South Annexation No. 7, Pursuant To the Petitions Of The Owners Thereof, Providing For The Effective Date Of The Ordinances; And, Setting Forth Details In Relation Thereto. SECOND READING

This was the first reading of Agenda Item 18-031 it will be brought back for Board action at the January 23, 2018 Regular Meeting.

- [18-032](#) An Ordinance Zoning The Erie Gateway South Annexation No. 7 Property, Pursuant To The Petition Of The Owners Thereof, To 'LR' - Low Density Residential; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. SECOND READING

This was the first reading of Agenda Item 18-032 it will be brought back for Board action at the January 23, 2018 Regular Meeting.

**IX. RESOLUTIONS**

NONE SCHEDULED

**X. ORDINANCES**

[17-447](#)

An Ordinance Of The Town Of Erie, Colorado, Amending Title 1, "Administration And Personnel," Chapter 5, "Town Mayor And Board Of Trustees," Of The Erie Municipal Code To Add A New Section 5, "Applicability Of Certain Town Administrative Policies And Procedures;" And, Setting Forth Details In Relation Thereto. (SECOND READING)

Trustee Charles moved to approve Agenda Item 17-447; the motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.

**XI. GENERAL BUSINESS**

[18-022](#)

Town Hall Expansion and Northridge Ballot Questions

Mayor Harris requested an census from the Board of Trustees on the following ballot questions:

The Northridge Ballot Question with the selection of option 1 - \$50,000 was approved with a five (5) for and one (1) against vote with Trustee Deakin voting no.

The Town Hall Expansion Ballot Question carried with all present voting in favor thereof.

The Broadband Ballot Question failed with a three (3) for and a three (3) against vote with Trustee Charles; Trustee Woog; and Trustee Carroll voting no.

[18-024](#)

Acceptance of Resignation of Jackie Connor from EHPAB

**XII. STAFF REPORTS**

[18-016](#)

Planning & Development Monthly Building Permit Report

**XIII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS**

Mayor Pro Tem Gruber reported on the I25 Coalition meeting he attended on December 15, 2017. Mayor Pro Tem Gruber moved to add a discussion on setbacks to the General Business section of the January 23, 2018 Regular Meeting Agenda. The motion was seconded by Trustee Carroll. The motion carried with all present voting in favor thereof.

**XIV. ADJOURNMENT**

Trustee Woog moved to adjourn the January 9, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

Mayor Harris adjourned the meeting at 8:23 pm.