



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Draft

### BOARD OF TRUSTEES MEETING

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Tuesday, June 12, 2018

6:30 PM

Board Room

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#### 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 Carroll called the June 12, 2018 Regular Meeting to order at 6:30 pm.

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

**Present:** 5 - Mayor Carroll  
Mayor Pro Tem Deakin  
Trustee Charles  
Trustee Gippe  
Trustee van Woudenberg

**Excused:** 2 - Trustee Woog  
Trustee Haid

#### III. APPROVAL OF THE AGENDA

Trustee van Woudenberg moved to approve the agenda with the amendment of moving Agenda Item 18-187 and 18-206 from IV. Consent Agenda to VII. Resolutions. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

#### IV. CONSENT AGENDA

- [18-195](#) Approval of the May 8, 2018 Regular Meeting Minutes
- [18-210](#) Approval of the May 10, 2018 Special Meeting Minutes
- [18-211](#) Approval of the June 4, 2018 Special Meeting Minutes
- [18-179](#) A resolution authorizing the Award of a Consultant Contract to HDR Inc., for the North Water Reclamation Facility Master Plan and Preliminary Expansion Design in the amount of \$250,805.00 with a contingency amount of \$49,195.00.

- [18-180](#) Consideration Of A Resolution Of The Town Of Erie, Colorado Approving An Intergovernmental Agreement By And Between Boulder County, The City And County Of Broomfield And The Cities of Boulder, Lafayette, Longmont And Louisville, And The Towns Of Erie And Superior, for Hazardous Material Management; And Setting Forth Details In Relation Thereto.
- [18-181](#) A Resolution Authorizing Award Of A Construction Contract To Road Safe Traffic Systems for Pavement Marking Removal In The Amount Of \$226,200; And Setting Forth Details In Relation Thereto.
- [18-185](#) A Resolution of Authorizing a Community Organization Grant To Colorado National Golf Course In The Amount of \$30,000.00 For The Fireworks Display to be Held on July 3, 2018; And Setting Forth Details In Relation Thereto..
- [18-186](#) A Resolution Authorizing the Town to Sign a License Agreement with the Regional Transportation District (RTD), for the Linear Trail Crossing of the RTD Railroad Track; Authorizing And Setting Forth The Details In Relation Thereto.
- [18-205](#) A Resolution Approving A Change Order To A Services Contract With Can-Do Concrete Construction, Inc. For Concrete Improvements Necessary For The Installation Of A Cross Walk In The Amount of \$43,346 and a Contingency amount of \$8,654.00.
- [18-193](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting A Grant Of Permanent Access And Utilities Easement Agreement; And, Setting Forth Details In Relation Thereto.
- [18-139](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting The Special Warranty Deed Of Roadway Right-Of-Way Property From Reuben Rohrschneider And Michelle Narciso, Dated April 12, 2018; And, Setting Forth Details In Relation Thereto.
- [18-199](#) A Resolution Authorizing the Town of Erie to Enter Into an Employment Contract with Farrell Buller for Services as the Acting Town Administrator and Directing the Appropriate Town Officers to Sign Said Agreement; And, Setting Forth Other Details Relating Thereto.
- [18-200](#) A Resolution of the Town of Erie Authorizing a Construction Contract to Star Playgrounds for the Lehigh Park Playground Surface Cap/Replacement Project in the Amount of \$55,618.00; And, Setting Forth Details in Relation Thereto.
- [18-202](#) A Resolution Authorizing The Town Of Erie To Provide Fire Protection

Service To Certain Annexed Properties.

[18-203](#) A Resolution Authorizing The Town Of Erie To Provide Fire Protection Service To Certain Annexed Properties.

[18-209](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Flatiron Meadows Filing No. 12 Final Plat; Authorizing The Appropriate Town Official To Sign The Flatiron Meadows Filing No. 12 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.

[18-158](#) An Ordinance Of The Town Of Erie, Colorado, Revising Title 7, "Public Ways And Property," Chapter 6, "Park And Recreation Facility Regulations," Section 7-6-5.V, Entitled "Regulations," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto. SECOND READING

[18-160](#) An Ordinance Of The Town Of Erie, Colorado, Revising Title 6, "Police And Traffic Regulations," Chapter 6, "Offenses Involving Property," Section 6-6-1, Entitled "Theft," And Enacting Title 6, "Police And Traffic Regulations," Chapter 6, "Offenses Involving Property," Section 6-6-15, Entitled "Provisions Related To Shoplifting," Of The Municipal Code Of The Town Of Erie And, Setting Forth Details In Relation Thereto. SECOND READING

**Trustee Charles moved to approve the June 12, 2018 Consent Agenda; the motion was seconded Trustee Gippe. The motion carried with the following roll call vote:**

**Aye:** 5 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Gippe, and Trustee van Woudenberg

## **V. PUBLIC COMMENT**

Liz Fischer of 635 Moffat Street, Erie, Colorado, gave public comment on oil and gas operations and Morgan Hill.

Jim Byers of 635 Moffat Street, Erie, Colorado, gave public comment on oil and gas operations.

## **VI. PROCLAMATIONS AND PRESENTATIONS**

[18-182](#) Erie Municipal Airport Monthly Report - May 2018

[18-192](#) Recognition of the Erie Robotics Team

[18-191](#) Colorado Department of Public Health and Environment (CDPHE) Oil and

## Gas Health Information and Response Program Presentation

[18-147](#)

I-25 &amp; Erie Parkway Master Plan Update

**VII. RESOLUTIONS**[18-187](#)

A resolution authorizing the Award of a Consultant Contract to Burns & McDonnell Inc., for the Water Treatment Facility Expansion Design in the amount of \$459,116.00 and a contingency amount of \$65,884.00.

**Trustee Charles moved to approve Agenda Item 18-187; the motion was seconded by Trustee van Woudenberg. The motion carried with the following roll call vote:**

**Aye:** 5 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Gippe, and Trustee van Woudenberg

[18-206](#)

A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Morgan Hill Filing No. 1 Final Plat; Authorizing The Appropriate Town Official To Sign The Morgan Hill Filing No. 1 Development Agreement, First Amendment To Morgan Hill First Amended And Restated Annexation Agreement, Grants Of Permanent Access And Utilities Easements And Avigation Easement; Adopting Certain Findings Of Fact And Conclusions Favorable To The Acceptance Of The Morgan Hill Filing No. 1 Final Plat Dedications And Development Agreement, First Amendment To Morgan Hill First Amended And Restated Annexation Agreement, Grants Of Permanent Access And Utilities Easements And Avigation Easement, And Setting Forth Details In Relation Thereto.

**Trustee Charles moved to approve Agenda Item 18-206; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with all present voting in favor thereof.**

**VIII. ORDINANCES****IX. GENERAL BUSINESS**[18-194](#)

Discussion of Oil and Gas Support

**The Board directed Town Staff to bring back a scope/concept for confirmation.**

[18-218](#)

Review of Oil and Gas Counsel

**The Board directed Town Staff to review the past Request for Proposal for oil and gas Counsel.**

[18-168](#)

Discussion of Possible Residential Solar Energy Incentives

[18-204](#)

Title 10 Mailed Notice - Notification Distance

**The Board directed Town Staff to research other communities' noticing periods**

as well as alternative forms of notification.

## **X. STAFF REPORTS**

- [18-162](#) Planning & Development Monthly Building Permit Report
- [18-183](#) Water Treatment and Water Reclamation Monthly Report - May
- [18-184](#) 13th Annual Spring Clean Up Results

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

Trustee van Woudenberg reported on Sustainability Advisory Board's selection of Tom Doyle as Chair, Keith Barr as Vice Chair, and Jeff Percell as Secretary. Trustee van Woudenberg reported on his attendance of the June COGCC meeting. Trustee van Woudenberg acknowledged June as LBQT Pride Month.

Mayor Pro Tem Deakin reported on Open Space & Trails Advisory Board's selection of Ken Martin as Chair and Robert Braudes as Vice Chair.

Trustee Charles reported on Historic Preservation Advisory Board's selection of Michael Katryniuk as Chair, Tina Harris as Vice Chair, and Mary Saarbach as Secretary. Trustee Charles reported that notifications would be sent out for Historic Preservation Advisory Board openings. Trustee Charles congratulated the Erie Chamber of Commerce on Beerfest.

Trustee Gippe reported on the Las Vegas convention. Trustee Gippe thanked Town Staff for their hard work.

Mayor Carroll recognized Town Staff for their hard work during the convention.

## **XII. EXECUTIVE SESSION**

- 18-196** EXECUTIVE SESSION to discuss the purchase, acquisition, lease, transfer or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); and, specifically to discuss the acquisition of real property.

Mayor Pro Tem Deakin moved to go into Executive Session to discuss the purchase, acquisition, lease, transfer or sale of real personal, or other property interest under C.R.S. Section 24-6-402(4)(a); and specifically, to discuss the acquisition of real property. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, June 12, 2018, and the time is 10:10 pm. For the record, I am the presiding officer, Mayor Carroll. 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 Deakin, Trustees Scott Charles, Bill Gippe, Christiaan Woudenberg, and Town Administrator Farrell Buller; Assistant to the Town Administrator Fred Diehl; and Town Attorney Mark Shapiro.

Mayor Carroll announced; The time is now 10:54 pm, and the executive session has been concluded. The participants in the executive session were:

Mayor Carroll, Mayor Pro Tem Deakin, Trustees Scott Charles, Bill Gippe, Christiaan Woudenberg, and Town Administrator Farrell Buller; Assistant to the Town Administrator Fred Diehl; 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.

### **XIII. ADJOURNMENT**

Trustee Charles moved to adjourn the June 12, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Carroll adjourned the June 12, 2018 Regular Meeting at 10:55 pm.