



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes

### Board of Trustees

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Tuesday, May 23, 2023

6:30 PM

Erie Town Hall Board Room  
645 Holbrook  
Erie, CO 80516

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#### Regular Meeting

Watch or Comment Virtually: <https://bit.ly/BOT4thTuesday2023>

#### I. Call Meeting to Order and Pledge of Allegiance

With Mayor Brooks arriving late to the meeting and Mayor Pro Tem Loflin being absent from this meeting, Debbie Stamp, Town Clerk, called the meeting to order at 6:31 p.m.

Ms. Stamp asked for nominations for a temporary chair in the absence of Mayor Brooks. Trustee Bell nominated Trustee Baer to run the meeting until Mayor Brooks arrives.

Trustee Bell made a motion to have Trustee Baer chair the meeting until Mayor Brooks arrives. Trustee Harrison seconded the motion. The motion passed by the following vote at 6:31 p.m.

**Ayes** 5 - Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent** 2 - Mayor Brooks  
Mayor Pro Tem Loflin

Mayor Brooks joined the meeting at 6:40 p.m.

#### II. Roll Call

**Present:** 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent:** 1 - Mayor Pro Tem Loflin

**III. Approval of the Agenda**

Trustee Hoback made a motion to move Item 22-263 Memorial Day Proclamation from the Consent Agenda to General Business and to approve the agenda as amended. Trustee Harrison seconded the motion. The motion passed by the following vote at 6:33 p.m.

Ayes 5 - Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

Absent 2 - Mayor Brooks  
Mayor Pro Tem Loflin

**IV. Consent Agenda**

[23-283](#) Approval of the May 9, 2023, Board of Trustees Regular Meeting Minutes

Attachments: [05-09-2023 BOT Minutes](#)

[23-276](#) An Ordinance of the Board of Trustees of the Town of Erie Authorizing the Transfer of Real Property to Vista Pointe Homeowner's Association

Attachments: [Ordinance 013-2023](#)  
[Exhibit A](#)

[23-277](#) A Resolution of the Board of Trustees of the Town of Erie Approving Change Order No. 3 with MPI Companies for the Street Maintenance Program

Attachments: [Resolution 23-061](#)  
[Change Order 3](#)  
[Construction Contract 06-28-2022](#)  
[Change Order 1](#)  
[Change Order 2](#)

[23-279](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Construction Contract with JOC Construction, LLC for the Erie Community Center Pool Staircase Structural Repairs Project

Attachments: [Resolution 23-060](#)  
[Construction Contract - ECC Pool Staircase Structural Repairs Project](#)

[23-281](#) A Declaration in Support of National Safety Month

Attachments: [Proclamation](#)  
[National Safety Month Poster](#)

[23-289](#)

A Resolution of the Board of Trustees of the Town of Erie Referring to Voters the Proposed Home Rule Charter, Setting Out Alternative Language for Consideration by Voters, Calling a Special Election on November 7, 2023, to be Coordinated with Boulder and Weld Counties, and Ordering Publication of Notice of the Proposed Charter

Attachments: [Resolution 23-063](#)

Trustee Bell made a motion to approve the Consent Agenda. Trustee Harrison seconded the motion. The motion passed by the following vote at 6:34 p.m.

Ayes 5 - Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

Absent 2 - Mayor Brooks  
Mayor Pro Tem Lofflin

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

Trustee Baer read the Public Comment Rules and opened Public Comment at 6:34 p.m.

With no speakers in-person or online virtually, Trustee Baer closed Public Comment at 6:35 p.m.

#### **VI. General Business**

[23-263](#)

Memorial Day Proclamation

Attachments: [Proclamation](#)

This item was moved from the Consent Agenda to General Business at the beginning of the meeting.

Trustee Harrison read the Memorial Day Proclamation at 6:35 p.m.

[23-296](#)

Pride Month Proclamation

Attachments: [Pride Proclamation](#)

Trustee Baer read the Pride Month Proclamation at 6:38 p.m.

[23-274](#)

A Resolution of the Board of Trustees of the Town of Erie Approving a Reimbursement Agreement with Vista Pointe Homeowners' Association As Part of the Erie Neighborhood Improvement Program

Attachments: [Resolution 23-059](#)  
[Reimbursement Agreement](#)

Mayor Brooks joined the meeting at 6:40 p.m.

Luke Bolinger, Development & Neighborhood Services Division Manager, presented the item at 6:42 p.m.

Trustee Harrison made a motion to approve Resolution 23-059. Trustee Bell seconded the motion. The motion passed by the following vote at 6:59 p.m.

Ayes 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

Absent 1 - Mayor Pro Tem Loflin

### 23-026

PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Rezoning the property known as Erie Air Park from Airport (AP) to Planned Development (PD)

Attachments: [BOT Ordinance No. 002-2023](#)  
[PC Resolution No. P22-12](#)  
[Staff Report](#)  
[Proposed PD-DP](#)  
[Application & Narrative](#)  
[Other Applicant Materials](#)  
[Referral Comments](#)  
[Neighborhood Meeting Information](#)  
[Notifications](#)  
[Applicant Presentation](#)  
[Staff Presentation](#)  
[Public Comments](#)

Mayor Brooks opened the Public Hearing at 7:01 p.m.

Chris LaRue, Senior Planner, presented the item at 7:01 p.m.

Zachary Nassar, Nassar Development, presented on the item at 7:06 p.m.

With no speakers in person or online virtually, Mayor Brooks closed the Public Hearing at 7:28 p.m.

Trustee Bell made a motion to approve Ordinance 002-2023. Trustee Hoback seconded the motion. The motion passed by the following vote at 7:29 p.m.

**Ayes** 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent** 1 - Mayor Pro Tem Loflin

**23-162** A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement with Iconergy LLC for the Energy Performance Contract

**Attachments:** [Resolution 23-062](#)  
[Agreement](#)  
[Presentation](#)

Todd Fessenden, Public Works Director, introduced Chad Alexander, Facilities Manager, to the Board of Trustees at 7:30 p.m.

Chad Alexander, Facilities Manager, and Carl Hurst, Iconergy, presented the item at 7:31 p.m.

Trustee Baer made a motion to approve Resolution 23-062. Trustee Harrison seconded the motion. The motion passed by the following vote at 7:53 p.m.

**Ayes** 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent** 1 - Mayor Pro Tem Loflin

**23-302** Town Hall Expansion Project Update

**Attachments:** [2023.05.23 Update](#)

Malcolm Fleming, Town Administrator, presented the item at 7:54 p.m.

**23-301** Discussion of Draft Virtual Participation and Virtual Meeting Policy

**Attachments:** [Virtual Meeting Policy 2023.05.23 Draft](#)

Malcolm Fleming, Town Administrator, presented the item at 8:08 p.m.

**VII. Staff Reports**

**23-285**

**Attachments:** [PW Report.docx](#)



23-297 Finance Sales Tax Monthly Report

Attachments: [Finance Sales Tax Monthly Report](#)

23-278 Planning & Development Monthly Report

Attachments: [Planning & Development BOT Report May 2023](#)

**VIII. Board Member Reports and Announcements**

Board members spoke about Erie's Town Fair, Older American's Month, Scouts presentation on Memorial Day at Mount Pleasant Cemetery, Farmer's Market, Balloon Fest on June 10th, ICSC Conference attended by the Mayor and Trustee Harrison and asked that everyone please keep their dogs on a leash.

Trustee Hoback made a motion to go into Executive Session. Trustee Harrison seconded the motion. The motion passed by the following vote at 8:29 p.m.

Ayes 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

Absent 1 - Mayor Pro Tem Loflin

**IX< Executive Session**23-300

EXECUTIVE SESSION to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), and to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), for which a topic cannot be disclosed without compromising the purpose of the executive session

The Board of Trustees returned from Executive Session at 8:56 p.m.

**X. General Business**23-299

Trustee Sawusch made a motion to table the item permanently. Trustee Bell seconded the motion. The motion passed by the following vote at 8:58 p.m.

Ayes 6 - Mayor Brooks  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

Absent 1 - Mayor Pro Tem Loflin

### XI. Adjournment

Mayor Brooks adjourned the meeting at 8:59 p.m.

Approved \_\_\_\_\_

Mayor

Attest \_\_\_\_\_

Town Clerk

