



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, June 14, 2016

6:30 PM

Board Room

STUDY SESSION 4:15 TO 6:15 TOWN HALL BOARD ROOM

AGENDA FOR THE STUDY SESSION IS A BOARD OF TRUSTEES NEW AND RETURNING TRUSTEES ORIENTATION WITH THE TOWN ATTORNEY

REGULAR MEETING 6:30 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

Mayor Harris called the June 14, 2016 Regular Meeting of the Town of Erie Board of Trustees to order at 6:30 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

Mayor Pro Tem Gruber moved to approve the June 14, 2016 Agenda with the amendment of moving Consent Agenda Item 16-213 to Resolutions. The motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

Mayor Pro Tem Gruber moved to approve the Consent Agenda as amended. The motion was seconded by Trustee Charles. 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

[16-196](#) Approval of the May 10, 2016 Meeting Minutes

[16-202](#) An Ordinance Of The Town Of Erie, Colorado, Amending Title 2, "Finance And Revenue," Chapter 10, "Fee Schedule," Section 2-10-3 "Police

Department Fees” Of The Municipal Code Of The Town Of Erie, Colorado;
Setting Forth Details In Relation Thereto. (SECOND READING)

- [16-204](#) A Resolution Authorizing Acceptance of Grant Funding and Approving a Services Contract With Tyler Technologies for Use, Operation and Data Storage for E-Citation for the Erie Police Department; and Setting Forth Details in Relation Thereto.
- [16-208](#) A Resolution Approving the Purchase of Fitness Equipment From Advanced Exercise Equipment for the Erie Community Center; and Setting Forth Details in Relation Thereto.
- [16-209](#) A Resolution Authorizing Award Of A Contract to Recreation Plus, Ltd. for Shelters and Benches at the Dog Park at Reliance Park, In the Amount of \$26,984.00 And Setting Forth Details in Relation Thereto.
- [16-211](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Vista Ridge Filing No. 12, 3rd Amendment Final Plat; Authorizing The Appropriate Town Official To Sign The Vista Ridge Filing No. 12, 3rd Amendment 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.
- [16-214](#) A Resolution Accepting a Disadvantaged Business Enterprise (DBE) Program for the Erie Municipal Airport; And, Setting Forth Details in Relation Thereto.
- [16-216](#) A Resolution For The Purpose Of Acquiring A Permanent Easement and Temporary Construction Easement for Construction of the South Coal Creek Water and Sanitary Sewer
- [16-218](#) A Resolution Authorizing Award Of A Services Contract To VSR Corporation for the Sanitary Sewer System Video Inspection Services In The Amount Of \$27,532.44; And Setting Forth Details In Relation Thereto.
- [16-219](#) A Resolution Authorizing Award Of Construction Contract To A-1 Chipseal Company For The 2016 Street Maintenance In The Amount Not-To-Exceed \$717,800; And Setting Forth Details In Relation Thereto.
- [16-220](#) A Resolution Authorizing Award of a Consultant Agreement To Felsburg Holt & Ullevig, Inc., For the Transportation Master Plan Update, In The Amount of \$94,780; And Setting Forth Details In Relation Thereto.

V. PUBLIC COMMENT

Liz Fisher, 635 Moffat Street, Erie, CO. spoke against the Balcolm Flats Development.

David Moore, 375 Pierce Street, Erie, CO. spoke against the Balcolm Flats Development.

David Lotton, 365 Main Street, Erie, CO. spoke against the Balcolm Flats Development.

Jeanette Nakamura, 1008 Village Circle, Erie, CO. expressed concerns about the Schofield Farms Property.

Mimi Freund, 1284 St. John Street, Lafayette, CO. expressed concerns about the Schofield Farms Property.

VI. PROCLAMATIONS AND PRESENTATIONS

- [16-221](#) Presentation of 2015 Audit Report and Comprehensive Annual Financial Report

VII. EXECUTIVE SESSION

- [16-233](#) Executive Session for a conference with the Town Attorney and Special Legal Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-(4)(b); specifically, to received legal advice concerning the City of Lafayette's intention to condemn Town of Erie Urban Renewal property and interfere with the Town of Erie's Disposition and Development Agreement.

Trustee Woog moved to go into Executive Session for a conference with the Town Attorney and Special Legal Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b); specifically, to receive legal advice concerning the City of Lafayette's intention to condemn Town of Erie Urban Renewal property and interfere with the Town of Erie's Disposition and Development Agreement. The motion was seconded by Trustee Charles; the motion carried with all present voting in favor thereof.

Mayor Harris announced its Tuesday, June 14, 2016 and the time is 6:32 p.m. 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:

Trustees Mark Gruber, Dan Woog, Scott Charles, Geoff Deakin, and, Jennifer Carroll; and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl, Community Development Director Marty Ostholthoff, Special Legal Counsel Darrell Waas and Mikaela Rivera; and Town Attorney Mark Shapiro.

This is an executive session for the following purpose:

For a conference with the Town Attorney and Special Legal Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b); specifically, to receive legal advice concerning the City of Lafayette's intention to condemn Town of Erie Urban Renewal property and interfere with the Town of Erie's Disposition and Development Agreement.

Upon completion of the Executive Session, Mayor Harris announced that the

time is now 10:12 p.m., and the executive session has been concluded. The participants in the executive session were:

Trustees Mark Gruber, Dan Woog, Scott Charles, Geoff Deakin, and, Jennifer Carroll; and Town Administrator A.J. Krieger; , Assistant to the Town Administrator Fred Diehl, Community Development Director Marty Ostholthoff, Special Legal Counsel Darrell; Waas and Mikaela Rivera; and Town Attorney Mark Shapiro.

VIII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

[16-184](#) An Ordinance By The Board of Trustees Of The Town Of Erie, Colorado Regarding The Erie Highlands Zoning Map Amendment No. 1, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning. (SECOND READING)

Trustee Woog moved to approve Ordinance 16-184; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

[16-185](#) An Ordinance By The Board Of Trustees Of The Town Of Erie, Colorado Regarding The Erie Highlands PUD Zoning Map Amendment No. 1, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Unit Development Overlay Rezoning.(SECOND READING)

Mayor Pro Tem Gruber moved to approve Agenda Item 16-185; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

[16-186](#) A Resolution By The Board of Trustees Of The Town Of Erie, Colorado Regarding Erie Highlands Preliminary Plat No. 2, Adopting Certain Findings Of Fact And Conclusions Favorable To The Preliminary Plat. (Continued from the May 10, 2016 Meeting)

Trustee Charles moved to approve Agenda Item 16-186; the motion was seconded by Trustee Woog. The motion carried with all present voting infavor thereof.

IX. RESOLUTIONS

[16-213](#) A Resolution Authorizing Award of a Change Order for Town Hall Remodel-Add Service Change Order for Design Contract of the South Wing and Main Floor in the amount of \$22,790.00; and Setting Forth Details in Relation Thereto.

Trustee Charles moved to approve Agenda Item 16-213; 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 Charles, Trustee Woog, and Trustee Deakin

X. GENERAL BUSINESS

[16-197](#) 4060 East County Line Road Revised Sketch Plan

[16-206](#) Sketch Plan Review in Erie Commons Filing No. 4

[16-222](#) Schofield Farm Discussion

Board direction to Staff is to complete an Request for Proposal to develop a plan for Schofield Farm. The proposal would be for an expert on Historical Preservation to provide an analysis and make recommendations, which would give the Board a vision for the property.

XI. STAFF REPORTS

[16-199](#) Community Development Monthly Report

[16-205](#) Monthly Communications Report – April 2016

[16-207](#) Erie Highlands - Grading and Stormwater Quality Permit

[16-210](#) July is National Parks & Recreation Month

[16-215](#) Erie Parkway Construction Update

[16-217](#) Flatiron Meadows Boulevard Closure

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Carroll moved to appoint Rachel Folger to the Tree Board vacancy; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Trustee Woog said he would like the Board to schedule a Study Session to review the Sign Code. The Mayor said that they could schedule it for the July 19, 2016 Study Session.

Trustee Charles said he would like the Board to schedule a Study Session to discuss designating Downtown as a Historic District.

Mayor Pro Tem Gruber asked for the current number of building permits issued and also reported on a recent Metro Mayor's Caucus meeting he

attended on behalf of Mayor Harris.

Mayor Harris is going forward with the Ad Hoc Committees with the exception of the Art in Public Places because there was not enough interest. The Mayor noted that the Town was looking at hiring a Planner/Consultant in the interim. Also include making Downtown Erie a Historic District as part of the July 19, 2016 Study Session. The Mayor also requested that the Voluntary Boards set a schedule to come and report to the Board of Trustees.

XIII. EXECUTIVE SESSION

16-223

EXECUTIVE SESSION 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); specifically, regarding the Nine Mile Project development plan.

Trustee Charles moved to go into Executive Session 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 24-402(4)(e); specifically, regarding the Nine Mile Project development plan. The motion was seconded by Mayor Pro Tem Gruber; the motion carried with all present voting infavor thereof.

Mayor Harris announced its Tuesday, June 14, 2016 and the time is 10:07 p.m. 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:

Trustees Mark Gruber, Dan Woog, Scott Charles, Geoff Deakin, and, Jennifer Carroll; and Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl, Community Development Director Marty Ostholthoff; and Town Attorney Mark Shapiro.

This is an executive session for the following purpose:

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 24-402(4)(e); specifically, regarding the Nine Mile Project development plan.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 10:44 p.m., and the executive session has been concluded. The participants in the executive session were:

Trustees Mark Gruber, Dan Woog, Scott Charles, Geoff Deakin, and, Jennifer Carroll; and Town Administrator A.J. Krieger; , Assistant to the Town Administrator Fred Diehl, Community Development Director Marty Ostholthoff; and Town Attorney Mark Shapiro.

XIV. ADJOURNMENT

Trustee Charles moved to adjourn the June 14, 2016 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 10:45pm.