



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### BOARD OF TRUSTEES MEETING

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Tuesday, September 27, 2016

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 Pro Tem Gruber called the September 27, 2016 Regular Meeting of the  
Town of Erie Board of Trustees to order at 6:32 pm.

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

**Present:** 5 - Mayor Pro Tem Gruber  
Trustee Carroll  
Trustee Charles  
Trustee Woog  
Trustee Deakin

**Absent:** 2 - Mayor Harris  
Trustee Schutt

#### III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the September 27, 2016 Regular Meeting  
Agenda with the amendment of moving Agenda Item 16-360 from VII. Resoluiton  
to IV. Consent. The motion was seconded by Trustee Woog; the motion carried  
with all present voting in favor thereof.

**Aye:** 5 - Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and  
Trustee Deakin

#### IV. CONSENT AGENDA

Trustee Charles moved to approve the Consent Agenda as amended. The motion  
was seconded by Trustee Woog; the motion carried with all present voting in  
favor thereof.

**Aye:** 5 - Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and  
Trustee Deakin

[16-346](#)

Approval of September 13, 2016 Meeting Minutes

- [16-347](#) A Resolution to Approve the 2016 – 2017 St. Vrain Valley School District School Resource Officer Agreement
- [16-349](#) A Resolution Approving a Change Order Request for Town Hall Sand-Stone Selection at Main Entrance and Electrical Code Issue.in the amount of \$105,000.00.
- [16-351](#) A Resolution Authorizing Acceptance of a Grant of Permanent Access and Utilities Easement Agreement from the Boulder Valley School District.
- [16-364](#) An Ordinance Authorizing The Town Of Erie, Colorado, To Sell Approximately 0.517 Acre, Being A Part Of Tract C, Erie Air Park Subdivision, Immediately Adjacent To The Southwest Corner Of The Rear Yard Of Lot 5, 270 Skylane Drive, Erie, Colorado To Hideaki “Heidi” Yamamoto And Diane Shima Miyahara Yamamoto As Authorized By The Voters Of The Town Of Erie; And, Setting Forth Details In Relation Thereto. (SECOND READING)
- [16-365](#) A Resolution Accepting Dedications In The Erie Air Park Subdivision, 1st Amendment Final Plat.
- [16-360](#) A Resolution Awarding a Contract to Heritage Strategies,LLC, for a Historic Preservation Master Plan in the Amount of \$20,000; and Setting Forth Details in Relation Thereto.

#### **V. PUBLIC COMMENT**

Nancy Gruber, 1398 Clayton Way, Erie, CO. thanked all the sponsors for their support for the Erie Historical Society Biscuit Days Celebration.

#### **VI. PROCLAMATIONS AND PRESENTATIONS**

- 16-374** United Power-Annual Report
- [16-362](#) STAR AWARD - Awarded to Denise Jakan-IT Manager

#### **LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES**

- [16-353](#) PUBLIC HEARING: A Resolution Regarding The Allan Farms Annexation; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.
- Mayor Pro Tem Gruber opened the Public Hearing for Agenda Item 16-353 and Agenda Item 16-357 at 7:00 pm.  
Public Comment was heard from:  
Lee Winkler. 1258 Banner Circle  
Bryan Tronick, 1108 Cooke Court, ERie, CO.  
Cliff, Conne & Emily Tuck, 4888 N. 119th St. Erie, CO.

Mayor Pro Tem Gruber closed the Public Hearing at 7:15 pm

Trustee Woog moved to approve Agenda Item 16-353; the motion was seconded by Trustee Charles. The motion carried with all present voting infavor thereof.

**Aye:** 5 - Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, Trustee Woog, and Trustee Deakin

[16-356](#)

An Ordinance Annexing The Allan Farms Property, Pursuant To The Petition Of The Owner Thereof, To Be Known As The Allan Farms Annexation To The Town Of Erie, Colorado; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details in Relation Thereto. (SECOND READING)

This was the first reading of Agend Item 16-356 it will be returned for Board action at the October 11, 2016 Regular Meeting of the Town of Erie Board of Trustees.

[16-357](#)

An Ordinance Zoning The Allan Farms Annexation Property, Pursuant To The Owner Thereof, To 'AG/OS' - Agricultural/Open Space; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (SECOND READING)

Mayor Pro Tem Gruber opened the Public Hearing for Agenda Item 16-353 and Agenda Item 13-357 at 7:00 pm.

Public Comment was heard from:

Lee Winkler. 1258 Banner Circle

Bryan Tronick, 1108 Cooke Court, ERie, CO.

Cliff, Conne & Emily Tuck, 4888 N. 119th St. Erie, CO.

Mayor Pro Tem Gruber closed the Public Hearing at 7:15 pm

This was the first reading of Agenda Item 16-357 and it will be returned for Board action at the October 11, 2016 Regular Meeting.

[16-354](#)

PUBLIC HEARINGS: Consideration Of Resolutions Regarding Erie Gateway South Annexation No. 1, Erie Gateway South Annexation No. 2, Erie Gateway South Annexation No. 3, Erie Gateway South Annexation No. 4, Erie Gateway South Annexation No. 5, and Erie Gateway South Annexation No. 6; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexations.

Mayor Pro Tem Gruber opened the Public Hearing for Agenda Item 16-354 an Agenda Item 16-359 at 7:16 pm a Public Hearing for:

A Resolution Regarding The Erie Gateway South Annexation No. 1; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

A Resolution Regarding The Erie Gateway South Annexation No. 2; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

A Resolution Regarding The Erie Gateway South Annexation No. 3; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

A Resolution Regarding The Erie Gateway South Annexation No. 4; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

A Resolution Regarding The Erie Gateway South Annexation No. 5; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

A Resolution Regarding The Erie Gateway South Annexation No. 6; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

An Ordinance Zoning The Erie Gateway South Annexation Property, Pursuant To The Petition Of The Owner Thereof, To 'LR' - Low Density Residential; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto.

Following Staff Presentation Public Comment was heard from the applicant:

Matt Janke and Chris Elliot of OEO LLC, 7353 S. Alton Way, Centennial, CO.

Mayor Pro Tem Gruber closed the Public Hearing at 7:37 pm

Trustee Charles moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 1; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Trustee Charles moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 2; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Trustee Charles moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 3; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Trustee Woog moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 4; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Deakin. The motion carried with all present voting in favor thereof.

Trustee Deakin moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 5; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Trustee Charles moved to approve a Resolution Regarding The Erie Gateway South Annexation No. 6; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation. The motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

[16-358](#)

An Ordinances Annexing Erie Gateway South Annexation No. 1, Erie Gateway South Annexation No. 2, Erie Gateway South Annexation No. 3, Erie Gateway South Annexation No. 4, Erie Gateway South Annexation No. 5, and Erie Gateway South Annexation No. 6, 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 16-358 it will be returned for Board action at the October 11, 2016 Regular Meeting.

[16-359](#)

An Ordinance Zoning The Erie Gateway South Annexation Property, Pursuant To The Petition Of The Owner Thereof, To 'LR' - Low Density Residential; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (SECOND READING)

Following Staff Presentation Public Comment was heard from the applicant:

Matt Janke and Chris Elliot of OEO LLC, 7353 S. Alton Way, Centennial, CO.

Mayor Pro Tem Gruber closed the Public Hearing at 7:37 pm

This was the first reading of Agenda Item 16-359 it will be returned for Board Action at the October 11, 2016 Regular Meeting.

## **VII. RESOLUTIONS**

[16-363](#)

A Resolution of the Town Of Erie, Colorado, in Support of Referred Measure Appearing on the November, 2016 General Election Ballot, Declaring That the Referred Measure is of Public Concern to the Electorate; And Setting Forth Details In Relation Thereto.

Trustee Deakin moved to approve Agenda Item 16-363; the motion was seconded by Trustee Chalres. The motion carried with all present voting in favor thereof.

Mayor Pro Tem called for a break at 7:39 pm and reconvened the meeting at 7:50 pm.

[16-352](#)

PUBLIC HEARING: A Resolution Of The Board Of Trustees Of The Town Of Erie, Colorado Approving The First Amendment To The Service Plan For The Vista Ridge Metropolitan District; And Setting Forth Details In Relation Thereto.

Trustee Deakin recused himself from this agenda item stating a conflict of interest as he is a resident of Vista Ridge.

Mayor Pro Tem Gruber opened the Public Hearing for Agenda Item 16-352 at 7:52 pm. Following Staff presentation public comment was heard from:

Judith Baumann, 2721 Sunset Way, Erie, CO.

Steve Williams, 1406 Falcon Place, Erie, CO.

Lisa Johnson, District Manager and Michael Lund for Vista Ridge Metropolitan District.

Maryann McGeady and Martin Plate, General Counsel, McGeady and Becher, 450 17th St. Denver, CO

Andy Chaikovsky, 4915 S. Gaylord St., Englewood, CO.

Alex Brown, Financial Advisor

Members of the Board of Directors

Mayor Pro Tem Gruber closed the Public Hearing at 8:38 pm

Trustee Charles moved to approve Agenda Item 16-352; the motion was seconded by Trustee Carroll. The motion carried with the following vote:

**Aye:** 4 - Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, and Trustee Woog

**Recused:** 1 - Trustee Deakin

16-355

PUBLIC HEARING: A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat With Conditions; Accepting Dedications As Shown On The Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat; Adopting Certain Findings Of Fact And Conclusions Favorable To The Approval, Acceptance Of The Dedications Contained Therein, Authorizing The Town Of Erie, Colorado, To Enter Into The Vista Ridge Filing No. 14, 2nd Amendment Non-Residential Development Agreement; Authorizing And Directing The Appropriate Town Officers To Sign Said Development Agreement; And, Setting Forth Details In Relation Thereto.

Trustee Deakin recused himself from this Agenda Item stating a conflict of interest as he resides in Vista Ridge.

Mayor Pro Tem Gruber opened the Public Hearing for Agenda Item 16-355 at 8:40 pm

Public Comment on behalf of the applicant was heard from:

James Spehaliski, Marathon Land Company, 9750 Cambridge Drive, Littleton, CO.

Phil Dalrymple, Galloway & Co., 6162 Willow Drive, Greenwood Village, CO.

Mayor Pro Tem Gruber closed the Public Hearing at 8:53 pm.

Trustee Woog moved to approve Agenda Item 16-355; the motion was seconded by Trustee Charles. The motion carried with the following vote:

**Aye:** 4 - Mayor Pro Tem Gruber, Trustee Carroll, Trustee Charles, and Trustee Woog

**Recused:** 1 - Trustee Deakin

## VIII. ORDINANCES

16-332

PUBLIC HEARING CONTINUED FROM 09/13/2016: An Ordinance Of The Town Of Erie, Colorado, Creating And Establishing The Four Corners Business Improvement District; Appointing The Initial Members Of The Board Of Directors Of The Four Corners Business Improvement District; Designating The Four Corners Business Improvement District As A Location For New Business Or Commercial Development; And, Setting Forth Details In Relation Thereto. (SECOND READING)

Mayor Pro Tem Gruber reconvened the Public Hearing for Agenda Item 16-332 at

8:55 pm. Public Comment was heard from the Applicant Justin McClure.

Mayor Pro Tem Gruber closed the Public Hearing at 9:40 pm

Trustee Carroll moved to approve Agenda Item 16-332; the motion was seconded by Trustee Deakin. The motion carried with the following vote:

**Aye:** 3 - Mayor Pro Tem Gruber, Trustee Carroll, and Trustee Deakin

**Nay:** 2 - Trustee Charles, and Trustee Woog

## **IX. GENERAL BUSINESS**

**NONE SCHEDULED**

## **X. STAFF REPORTS**

[16-348](#) Water and Waste Water Monthly Report

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

No Reports

## **XII. ADJOURNMENT**

Mayor Pro Tem Gruber moved to adjourn the September 27, 2016 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Woog.

Mayor Pro Tem Gruber adjourned the meeting at 9:40 pm.