



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, November 15, 2016

6:30 PM

Board Room

Special Meeting-Rescheduled from 11/08/2016

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 Harris called the November 15, 2016 Special 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 Schutt
Trustee Charles
Trustee Woog
Trustee Deakin

Absent: 1 - Trustee Carroll

III. APPROVAL OF THE AGENDA

Mayor Pro Tem Gruber moved to approve the November 15, 2016 Special Meeting Agenda with the following amendments; move Agenda Item 16-404 and Agenda Item 16-417 from the Consent Agenda to Resolutions; and add Jason Hurd of Vector Air to Presentations. The motion was seconded by Trustee Woog; the motion carried with all present voting infavor thereof.

Aye: 6 - Mayor Harris, Mayor Pro Tem Gruber, Trustee Schutt, 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 Mayor Pro Tem Gruber. The motion carried with the following roll call vote:

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

- [16-408](#) Approval of the October 25, 2016 Meeting Minutes
- [16-405](#) A Resolution Authorizing Award of a Construction Contract to Mountain Constructors, Inc., For the Vista Ridge Detention Pond Maintenance Project In The Amount of \$39,155; And Setting Forth Details In Relation Thereto.
- [16-409](#) A Resolution Authorizing Award of a Construction Contract to Lawnsapes LLC. For Parking Lot Landscaping Project In The Amount of \$73,900.00; And Setting Forth Details In Relation Thereto.
- [16-411](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Colliers Hill Filing No. 4A Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4A 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.
- [16-412](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Colliers Hill Filing No. 4B Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4B 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.
- [16-413](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Colliers Hill Filing No. 4C Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 4C 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.
- [16-414](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Authorizing The Appropriate Town Official To Sign The Colliers Hill Metropolitan District No. 3 Development Agreement Conditional Upon Verification Of The Final Agreement Form; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Development Agreement; And, Setting Forth Details In Relation Thereto.
- [16-415](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Four Separate Grant Of Permanent Access And Utilities Easement Agreement And Temporary Construction Easement Agreements, Conditional Upon Verification Of The Final Agreement Form And Ownership Of The Easement Property; And, Setting Forth Details In

Relation Thereto

- [16-416](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting The Warranty Deed of Roadway Right-Of-Way Property from Daybreak Recovery Acquisition LLC; And, Setting Forth Details In Relation Thereto
- [16-426](#) A Resolution Approving the Purchase of a John Deer Utility Tractor in the Amount of \$36,265.35.
- [16-427](#) A Resolution Authorizing A Contract to Schlosser Signs, Inc. for Open Space Signage in the Amount of \$24,836.00 And Setting Forth Details in Relation Thereto.
- [16-433](#) A Resolution Authorizing The Engagement Of Chandler Asset Management For Cash And Investment Advisory Services
- [16-436](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Vista Ridge Filing No. 14, 3rd Amendment Plat With Conditions; Vacating A Portion Of An Easement As Shown On The Vista Ridge Filing No. 14, 3rd Amendment Plat; Adopting Certain Findings Of Fact And Conclusions Favorable To The Approval; And, Setting Forth Details In Relation Thereto.
- [16-440](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting A License Agreement; And, Setting Forth Details In Relation Thereto

V. PUBLIC COMMENT

VI. PROCLAMATIONS AND PRESENTATIONS

- [16-407](#) Open Space and Trails Board-Annual Report to the Board of Trustees
- [16-424](#) Karen Stuart, Executive Director-Smart Commute Metro North-I-25 Carpool/Vanpool Incentives

Jason Hurd, Vector Air

Jason Hurd spoke to the Board regarding Agenda Item 16-439, and requested a renewal of his contract as FBO at the Erie Airport.

VII. RESOLUTIONS

- [16-404](#) A Resolution Approving an Amendment to a Design Build Contract With Fischer Construction, Inc., and JVA Consulting Engineers, Inc., For Setting the Guaranteed Maximum Price for the Water Plant Solids Handling Equipment Project In The Total Amount of \$3,534,654, Authorizing an

additional \$3,346,589 be added to the Existing Design Build Contract; And Setting Forth Details In Relation Thereto.

Trustee Schutt moved to approve Agenda Item 16-404; 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 Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

16-417

A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The West Addition, 1st Amendment Minor Subdivision Plat; Authorizing The Appropriate Town Official To Sign The West Addition, 1st Amendment Minor Subdivision Plat; Adopting Certain Findings Of Fact And Conclusions Favorable To Acceptance Of The Dedications; And, Setting Forth Details In Relation Thereto

Trustee Charles moved to approve Agenda Item 16-417; the motion was seconded by Trustee Woog. The motion carried with all present voting infavor thereof.

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

16-418

PUBLIC HEARING: A Resolution By The Board Of Trustees Of Erie, Colorado Making Certain Findings Of Fact And Conclusions Favorable To The Vista Ridge Filing No. 1A, 1st Amendment Preliminary Plat; Imposing Conditions Of Approval; Approving the Vista Ridge Filing No. 1A, 1st Amendment Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto.

Mayor Harris opened the Public Hearing for Agenda Item 16-418 at 7:20 pm; following Staff Presentation there was no one wishing to comment on this item. Mayor Harris closed the Public Hearing for Agenda Item 16-418 at 7:27 pm.

Trustee Woog moved to approve Agenda Item 16-418; 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 Schutt, Trustee Charles, Trustee Woog, and Trustee Deakin

16-439

A Resolution Authorizing The Town Of Erie, Colorado, To Enter Into The Second Amendment Of The Airport Management And Operating Agreement With Vector Aircraft Services, LLC; Authorizing And Directing The Appropriate Town Officers To Sign Said Second Amendment.

Trustee Schutt moved to amend the term of the Airport Management Agreement Renewal to three years instead of one; the motion was seconded by Trustee Woog. The motion failed with a two (2) for and four (4) against vote, with Mayor Harris; Mayor Pro Tem Gruber and Trustees Charles and Deakin voting no.

Trustee Charles moved to approve Agenda Item 16-439 as presented with a one year renewal agreement; the motion was seconded by Trustee Deakin, The motion carried with a five (5) for and one (1) against with Mayor Pro Tem Gruber voting no.

VIII. ORDINANCES

16-434

An Ordinance Authorizing the Issuance and Sale of Town of Erie, Colorado, Water Enterprise Revenue Refunding Bonds, Series 2016, Payable Solely Out of Net Revenues to be Derived from the Operation of the Town's Water Enterprise; Providing Other Details Concerning the Bonds, Including, Without Limitation, Covenants and Agreements in Connection Therewith; and Declaring an Emergency.

Mayor Pro Tem Gruber moved to suspend Resolution 02-44 to pass Agenda Item 16-434 as an Emergency on the First Reading; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Trustee Schutt moved to approve Agenda Item 16-434 on an Emergency; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

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

16-419

An Ordinance Amending The Flatiron Meadows Planned Unit Development (PUD) Overlay Map Amendment No. 1, Pursuant To The Rezoning Application of the Owner Thereof, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning; And, Setting Forth Details in Relation Thereto. (SECOND READING)

Trustee Charles recused himself from the presentation and discussion on Agenda Item 16-419 citing a conflict of interest at he resides in Flatiron Meadows Suvdivision.

Mayor Harris opened the Public Hearing for Agenda Item 16-419 at 8:00pm. Following Staff presentation the Applicant Christopher Toll of Toll Brothers gave a presentation. Hearing no one else wishing to comment on the item, Mayor Harris closed the Public Hearing for Agenda Item 16-419 at 8:17 pm.

This was the first reading of Agenda Item 16-419 and it will be returned for Board action at the December 13, 2016 Regular Meeting.

16-430

An Ordinance Amending the Town of Erie Standards and Specifications for Design and Construction of Public Improvements – June, 2016 Edition (SECOND READING)

Mayor Harris opened the Public Hearing for Agenda Item 16-430 at 8:18 pm hearing no one wishing to make public comment, Mayor Harris closed the Public Hearing at 8:19 pm.

This was the first reading of Agenda Item 16-430 and it will be returned for Board

action at the December 13, 2016 Regular Meeting.

[16-420](#)

An Ordinance Of The Town Of Erie, Colorado, Repealing The August 2015 Title 10 Unified Development Code; Adopting By Reference The November 2016 Title 10 Unified Development Code; Providing For The Effective Date Of This Ordinance; Setting Forth Details In Relation Thereto; And, Declaring An Emergency Therefore.

Mayor Harris opened the Public Hearing for Agenda Item 16-420 at 8:20 pm. Following Staff presentation there was no one wishing to comment on this item. Mayor Harris closed the Public Hearing for Agenda Item 16-420 at 8:52 pm.

This was the first reading of Agenda Item 16-420 and it will be returned for Board action at the December 13, 2016 Regular Meeting.

[16-432](#)

An Ordinance Of The Town Of Erie, Colorado, Amending Title 2, "Revenue And Finance," Chapter 10, "Fee Schedule," Section 5, "Community Development Fees" Of The Erie Municipal Code; Adding A New Neighborhood Park Land And Construction Cost Fee And A New Fee In Lieu Of Open Space Land Dedication; Setting Forth Details In Relation Thereto; And, Declaring An Emergency Therefore.

This was the first reading of Agenda Item 16-432 and it will be returned for Board action at the December 13, 2016 Regular Meeting.

[16-406](#)

An Ordinance of the Town of Erie, Colorado Repealing and Replacing Title 2 "Revenue and Finance, " Chapter 5, Impact Fees and Refunds, And Chapter 5 Article A, Impact Fees Established," of the Erie Municipal Code and Setting Forth Details in Relation Thereto. And, Declaring An Emergency Therefore.

Mayor Harris opened the Public Hearing for Agenda Item 16-406 at 8:20 pm. Following Staff presentation public comment was heard from: Bruce Rau, 4908 Tower Road, Devnver CO. spoke against passage of this ordinance.

Cherie Talbert, 9033 E. Easter Place, Centennial, CO. spoke against passage of this ordinance.

Mayor Harris closed the Public Hearing for Agenda Item 16-406 at 8:52 pm. This was the first reading of Agenda Item 16-406 and it will be returned for Board Action at the December 13, 2016 Regular Meeting.

[16-437](#)

An Ordinance Of The Town Of Erie, Colorado, Enacting Provisions Of The Municipal Code Of The Town Of Erie, At Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-8, "Court Costs," Establishing Costs To Be Imposed Upon Referral Of Delinquent Amounts Due To Collections. (SECOND READING)

This was the first reading of Agenda Item 16-437 and it will be returned for Board Action at the December 13, 2016 Regular Meeting.

[16-438](#)

An Ordinance Of The Town Of Erie, Colorado, Enacting Provisions Of The Municipal Code Of The Town Of Erie, At Title 1, "Administration And Personnel," Chapter 4, "Municipal Court; General Penalty," Section 1-4-7.D., "Overweight Vehicles," Setting Forth Penalties For Violations Related To The Weight, Size And Load Of Vehicles And Trucks.
(SECOND READING)

This was the first reading of Agenda Item 16-438 and it will be returned for Board Action at the December 13, 2016 Regular Meeting.

IX. GENERAL BUSINESS

X. STAFF REPORTS

[16-423](#)

Community Development Monthly Report

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Woog noted the upcoming Christmas Parade of Lights on December 2, 2016.

Trustee Charles reported on a recent public meeting held by the Historic Preservation Board for input on a Historic Preservation Master Plan.

XII. ADJOURNMENT

Trustee Schutt moved to adjourn the November 15, 2016 Special Meeting; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Mayor Harris adjourned the meeting at 9:03 pm.