



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### BOARD OF TRUSTEES MEETING

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Tuesday, March 28, 2017

6:30 PM

Board Room

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Pre-Meeting Community Room 5:45 PM

#### 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 March 28, 2017 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 Schutt  
Trustee Charles  
Trustee Woog

**Absent:** 1 - Trustee Deakin

#### III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the March 28, 2017 Meeting Agenda; the  
motion was seconded by Mayor Pro Tem Gruber. The motion carried with all  
present voting in favor thereof.

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

#### IV. CONSENT AGENDA

[17-110](#) Approval of March 14, 2017 Meeting Minutes

[17-109](#) A Resolution of The Town of Erie, Colorado; For the Purpose of Approving  
Agreements Granting a Permanent Easement and Temporary Construction  
Easement For Construction of the Zone 3 Waterline Extension; And

Setting Forth Details in Relation Thereto.

[17-136](#) A Resolution Approving an Exhibits and Events Contract with Global Experience Specialists, Inc.

[17-132](#) A Resolution Of The Town Of Erie, Colorado, Authorizing The Purchase Of A Valve Exercise Trailer From Intermountain Sales In The Amount Of \$59,999.99; And Setting Forth Details In Relation Thereto

[17-135](#) A Resolution Of The Town Of Erie, Colorado Authorizing The Town Of Erie To Donate \$4,000.00 to Erie Air Fair, Inc. for the August 12, 2017 Erie Air Fair; And Setting Forth Details In Relation Thereto

[17-138](#) A Resolution Updating the 2016 Airport Master Plan for the Erie Municipal Airport; and Setting Forth Details in Relation Thereto.

**Trustee Charled moved to approve the March 28, 2017 Consent Agenda; the motion was seconded by Trustee Woog. The motion carried with the following roll call vote:**

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

## **V. PUBLIC COMMENT**

## **VI. PROCLAMATIONS AND PRESENTATIONS**

[17-137](#) Erie Municipal Airport - March 2017 Monthly Report

## **VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES**

[17-127](#) An Ordinance Of The Town Of Erie, Colorado, Rezoning The Wise Farms Property Pursuant To The Petition Of The Owner Thereof, From RR – Rural Residential To AG/OS – Agriculture/Open and ER-Estate Residential; And, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (FIRST READING)

[17-133](#) An Ordinance Regarding the Wise Farms Planned Unit Development Zoning Map; Adopting Certain Findings of Fact and Conclusion Favorable to the Planned Unit Development Overlay Rezoning; And Setting Forth Details in Relation Thereto. (FIRST READING)

[17-134](#) A Resolution Regarding the Preliminary Plat for Wise Farms Preliminary Plat; Adopting Certain Findings of Fact and Conclusions Favorable to the Preliminary Plat; And Setting Forth Details in Relation Thereto.

**Mayor Harris opened the Public Hearing for Agenda Item 17-127; Agenda Item 17-133 and Agend Item 17-134 at 6:40pm. Hannah Hippley, Senior Planner presented on behalf of the Town and Jim Dullea, of Jasper Land Development**

LLC presented on behalf of the Applicant.

**Public Comment:**

Ray J. Schlott; 255 Meadow View Way, Erie, CO. spoke in favor of the current plan.

Liz Wise Kissel, 10230 W. Center, Avenue, Lakewood, CO. spoke in favor of the plan.

**Speaking against the current Plan as presented:**

Stehanie Ceccato, Attorney, Hamre, Rodriguez, Ostrander and Dingess, spoke on behalf of Residents of Brownsville against the current development plan being presented.

Karl Schultz, 4049 N. 119th Street, Lafayette, CO.

Mary Volz, 11587 Jasper Road, Lafayette, CO.

Mary Beggs, 12134 Jasper Road, Lafayette, CO.

Kit Wagner, 11810 Jasper Road, Lafayette, CO.

Karl Volz, 11587 Jasper Road, Lafayette, CO.

Caroline Kaufman, 11793 Billings Avenue, Lafayette, CO.

Bob Kauffman, 11793 Billings Avenue, Lafayette, CO.

Brian Dupras, 11427 Billings Avenue, Lafayette, CO.

Jerry Heim, 11711 Billings Avenue, Lafayette, CO.

Corbin Steele, 11331 Billings Avenue, Lafayette, CO.

Rebecca Waugh, 515 Front Street, Louisville, CO.

Don Heins, 11775 Billings Avenue, Lafayette, CO.

Deniss Nowak, 11577 Billings Avenue, Lafayette, CO.

Lois Przywitowski, 11619 Billings Avenue, Lafayette, CO.

Christine Comment, 11255 Dobbins Run, Lafayette, CO.

Suzanne Engert, 11686 Flatiron Drive, Lafayette, CO.

Rachel Dickson, 11686 Flatiron Drive, Lafayette, CO.

David Brown, 11848 Billings Avenue, Lafayette, CO.

Brian Carlson, 4100 N. 119th Street, Lafayette, CO.

Robin Phillips, 11843 Billings Avenue, Lafayette, CO.

Elizabeth Landon, 4113 N. 109th Street, Lafayette, CO.

Kathy Tepoel, 12050 Jasper Road, Lafayette, CO.

Mayor Harris called for a break at 8:06 pm and reconvened the meeting at 8:17pm.

Following Board of Trustees comments and questions, Mayor Harris closed the Public Hearing at 9:05pm.

This was the first reading of Agenda Item 17-127 and Agenda Item 17-133. These items will be brought back for Board Action at the April 11, 2017 Regular Meeting

Trustee Charles moved to continue Agenda Item 17-134 for Board Action to the April 11, 2017 Regular Meeting; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

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

## **XI. STAFF REPORTS**

[17-128](#) Urban Drainage and Flood Control District (UDFCD) Update

[17-129](#) WCR 3 Road Closure

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

Mayor Pro Tem Gruber provided transportation information updates. Trustee Woog requested staff to review putting a four-way stop at the the intersection of Briggs and Wells Street.

Trustee Charles reported on the progress of the Historic Preservation Master Plan and the recent groundbreaking for the new K-8 SVVSD School.

Mayor Harris noted an upcoming information meeting for the new school and her State of the Town Address, both which will be on April 13th. She also reported that the Marijuana Ad Hoc Committee will give a report at the April 11, 2017 regular meeting of the Board of Trustees.

## **XIII. EXECUTIVE SESSION**

**17-140** EXECUTIVE SESSION for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and specifically, to receive legal advice regarding potential actions arising from the City of Lafayette eminent domain litigation.

Trustee Schutt moved to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402-4b, specifically to receive legal advice regarding potential actions arising from the City of Lafayette eminent domain litigation.. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Harris announced it's Tuesday, March 28, 2017 and the time is 9:16 pm. 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:

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

Upon completion of the executive session, Mayor Harris announced, The time is now 10:24 pm and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Dan Woog, Scott Charles, Jennifer Carroll, and Waylon Schutt; Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Community Development Director Marty Ostholthoff; 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 the 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:

Trustee Charles moved to authorize the Town Administrator to engage litigation counsel to research and report to the Town regarding actions arising from the City of Lafayette eminent domain litigation; the motion was seconded by Mayor Pro Tem Gruber; the motion carried with all present voting in favor thereof.

Trustee Charles moved to allow the Mayor to communicate information from the executive session to Trustee Deakin; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

#### **XIV. ADJOURNMENT**

Trustee Schutt moved to adjourn the March 28, 2017 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Mayor Harris adjourned the meeting at 10:25pm.