TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, August 14, 2018 | **6:30 PM** | **Board Room**

STUDY SESSION 6:00 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 Carroll called the August 14, 2018 Regular Meeting to order at 6:32 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: 7 - Mayor Carroll
Mayor Pro Tem Deakin
Trustee Charles
Trustee Woog
Trustee Haid
Trustee Gippe
Trustee van Woudenberg

III. APPROVAL OF THE AGENDA

Mayor Pro Tem Deakin moved to approve the agenda; the motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

18-275 Approval of the July 24, 2018 Draft Meeting Minutes

18-244 Resolution Authorizing Award Of Construction Contract To Levi Contractors, Inc. For The Pierce Street Water Tap Saddle Replacement Project In The Amount Of $175,420.00; And Setting Forth Details In Relation Thereto.

18-245 Award Construction Contract for Traffic Signal Cabinet Upgrades

18-247 Award Services Contract for Sanitary Sewer Camera Inspections

18-248 Award Services Contract for Storm Sewer Camera Inspections

18-264 An Ordinance Of The Town Of Erie, Colorado, Enacting Title 5, “Public Health And Safety”,” Chapter 3, “Cultivation Of Marijuana: Medical, Recreational,” And Setting Forth Details In Relation Thereto. (SECOND READING)

18-283 A Resolution to Authorizing the Town of Erie to Enter Into an Intergovernmental Agreement with Weld County for Coordinated Election Services and Directing the Appropriate Town Officers to Sign Said Agreement; And, Setting Forth Other Details Relating Thereto.

18-284 A Resolution to Authorizing the Town of Erie to Enter Into an Intergovernmental Agreement with Boulder County for Coordinated Election Services and Directing the Appropriate Town Officers to Sign Said Agreement; And, Setting Forth Other Details Relating Thereto.

18-285 A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Authorizing The Appropriate Town Official To Sign The South Boulder Canon Ditch Company, The Town Of Erie, and Matthew T. And Kristen R. Starr Ditch Easement Relocation Agreement; And, Setting Forth Details In Relation Thereto.

18-286 A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting The Quitclaim Deed Of Slope Easements From Weld County Dated August 6, 2018; And, Setting Forth Details In Relation Thereto.

18-287 An Ordinance Of The Town Of Erie, Colorado Vacating Three Slope Easements Located North Of CR 10.5 Within Approved Morgan Hill Filing No. 1; And, Setting Forth Details In Relation Thereto. (Second Reading)

18-289 A Resolution Approving An Intergovernmental Agreement Between the Town of Erie and The St. Vrain Valley School District RE-1J for The School Resource Officer Program; Authorizing And Setting Forth The Details In Relation Thereto.

Trustee Haid moved to approve the August 14, 2018 Consent Agenda; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with the following roll call vote:

Aye: 7 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

V. PROCLAMATIONS AND PRESENTATIONS

18-279 STAR AWARD Detective Brittany Wilson

18-276 A Presentation on SB 152 and Options for Municipalities

The Board reached a consensus and directed staff draft ballot language.

VI. PUBLIC COMMENT

Scott Barcewski of 1875 Gordon Drive, Erie Colorado, gave public comment on Agenda Item 18-263.

Ben Soelberg of 563 Hendec Court, Erie, Colorado, gave public comment on Agenda Item 18-263.

Bradley Beck of 1277 St. John Street, Erie, Colorado, gave public comment on Agenda Item 18-263.

Alan Fichtner of 1891 Tynan Drive, Erie, Colorado, gave public comment on Agenda Item 18-263.

Jamie Logan of 1601 Leyner Drive, Erie, Colorado, gave public comment on a school zone removal.

Jeff Percell of 293 Baker Lane, Erie, Colorado, gave public comment on Agenda Item 18-263.

VII. LAND DEVELOPMENT RESOLUTIONS & ORDINANCES

18-267 PUBLIC HEARING: Consideration Of A Resolution Regarding The Erie Farms Annexation; Adopting Certain Findings Of Fact And Conclusions Favorable To The Annexation.

Mayor Carroll opened the Public Hearing for Agenda Item 18-267 and Agenda Item 18-269 at 7:08 pm. Hearing that no one wished to make public comment, the Mayor closed the Public Hearing at 7:49 pm.

Trustee Charles moved to approve Agenda Item 18-267; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with all present voting in favor thereof.

18-268 An Ordinance Annexing The Erie Farms Annexation Property, Pursuant To The Petition Of The Owner Thereof, To Be Known As The Erie 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)

Agenda Item 18-268 will return for board action at the August 28, 2018 Regular Meeting.

18-269 An Ordinance Zoning The Erie Farms Annexation, Pursuant To The Petition Of The Owner Thereof, To 'LR' – Low Density Residential; Providing For The Effective Date Of This Ordinance. (Second Reading)

Agenda Item 18-269 will return for board action at the August 28, 2018 Regular Meeting.

VIII. RESOLUTIONS

IX. ORDINANCES

18-263 An Ordinance Of The Town Of Erie, Colorado, Enacting Title 6, “Police And Traffic Regulations,” Chapter 3, “Offenses Involving Weapons,” Section 6-3-6, Entitled “Carrying Of Weapons Prohibited In Town Buildings, Indoor Facilities,” Of The Municipal Code Of The Town Of Erie And Setting Forth Details In Relation Thereto. (SECOND READING)

Mayor Pro Tem Deakin moved to approve Agenda Item 18-263; the motion was seconded by Trustee van Woudenberg. The motion carried with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.

X. GENERAL BUSINESS

18-288 A Sketch Plan Review of Parkdale Sketch No. 2

XI. STAFF REPORTS

18-274 13th Annual Fall Clean Up

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Woog reported that he was open to the creation of an oil and gas ad hoc committee.

Trustee van Woudenberg reported that he was also open to the creation of a oil and gas ad hoc committee.

Trustee Charlies reported that Historic Preservation Advisory Board is down to four members. Trustee Charles thanked staff for their work to fill the openings. At the vision setting study session, Historic Preservation Advisory Board proposed to change the amount of members required. Trustee Charles proposed the addition of a non-voting member that can be either a resident or a nonresident with a background in historic preservation.

The board reached a consensus and directed staff to draft an ordinance allowing for flexibility of the required Historic Preservation Advisory Board members.

Trustee Gippe reported on the last upcoming concert in the park.

XIV. EXECUTIVE SESSION

18-278 EXECUTIVE SESSION for a conference with Special Counsel and the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), specifically, to receive legal advice regarding threat of litigation, and to receive legal advice regarding a claim made pursuant to the Town’s Administrative Policies and Procedures.

Mayor Pro Tem Deakin moved to go into Executive Session for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402

(4)(b), specifically, to recieve legal advice regarding threat of litigation, and to receive legal advice regarding a claim made pursuant to the Town's Administrative Policies and Procedures. The motion was seconded by Trustee Charles; the motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, August 14, 2018, and the time is 8:47 pm. For the record, I am the presiding officer, Mayor Carroll. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session were the following persons:

Mayor Pro Tem Deakin, Trustees Scott Charles, Bill Gippe, Christiaan Woudenberg, Adam Haid, and Dan Woog; and Town Attorney Kendra Carberry; and Legal Counsel Marni Kloster.

Mayor Carroll announced; The time is now 10:29 pm, and the executive session has been concluded. The participants in the executive session were:

May Carroll, Mayor Pro Tem Deakin, Trustees Scott Charles, Bill Gippe, Christiaan Woudenberg, Adam Haid, and Dan Woog; and Town Attorney Kendra Carberry; and Legal Counsel Marni Kloster. Human Resources Director Jan Sloat was present for a portion of the executive session.

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 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 the Mayor moved to the next agenda item.

XV. ADJOURNMENT

Trustee Charles moved to adjourn the August 14, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Mayor Carroll adjourned the August 14, 2018 Regular Meeting at 10:29 pm.