TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, September 25, 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 September 25, 2018 Regular Meeting to order at 6:31 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: 6 - Mayor Carroll
Mayor Pro Tem Deakin
Trustee Woog
Trustee Haid
Trustee Gippe
Trustee van Woudenberg

Excused: 1 - Trustee Charles

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

18-334 Approval of September 11, 2018 Draft Meeting Minutes

18-333 A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Agreement With J-U-B Engineers, Inc. For The Design Of The Erie Parkway And Weld County Road 7 Intersection And Traffic Signal Project In The Amount Of $149,100 ($129,659 For Design And $19,441 For Contingency)

18-336 A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing The Purchase Of A Toro Groundmaster Large Area Rotary Mower For The Amount Of $94,370.80.

18-338 A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Construction Contract With Colt & Steel For Construction Of The Bike Parking Plaza In The Amount Of $43,190.12.

18-339 A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Construction Contract With Jag's Enterprises, Inc. For The Linear Park Trail Connection Project In The Amount Of $423,978.

18-341 A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Amendment To The Subscription Agreement With Tyler Technologies, Inc.

Mayor Pro Tem moved to approve the September 25, 2018 Consent Agenda; the motion was seconded by Trustee Haid. The motion carried with the following roll call vote:

Aye: 6 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

V. PUBLIC COMMENT

VI. PROCLAMATIONS AND PRESENTATIONS

18-342 Annual Report from Mountain View Fire Chief

18-349 Erie Municipal Airport Monthly Report - August 2018

VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

18-319 PUBLIC HEARING: An Ordinance Of The Board Of Trustees Of The Town Of Erie Approving With Conditions The Erie Commons PD Amendment No. 8. (SECOND READING)

Consideration of a PD Amendment in the Erie Commons Subdivision to amend building orientations, lot dimensional standards and encroachments into setbacks.

Mayor Carroll opened the public comment portion of the Public Hearing for Agenda Item 18-319 and Agenda 18-320 at 6:59 pm.

Bruce Bailey and Vera Barbek gave public comment on Agenda Item 18-319 and 18-320.

Mayor Carroll closed the public comment portion of the Public Hearing for Agenda Item 18-319 and Agenda 18-320 at 7:59 pm.

Trustee Woog moved to approve Agenda Item 18-319; the motion was seconded by Trustee Haid. The motion carried with a four (4) for vote and two (2) against vote with Mayor Pro Tem Deakin and Trustee van Woudenberg voting no.

18-320 PUBLIC HEARING: A Resolution Of The Board Of Trustees Of The Town Of Erie Approving With Conditions The Preliminary Plat For Erie Commons Filing No. 4, 3rd Amendment.

Century Communities requests approval to preliminary plat 75 townhome units and 10 tracts.

Trustee Woog moved to approve Agenda Item 18-320; the motion was seconded by Trustee Haid. The motion carried with a four (4) for vote and two (2) against vote with Mayor Pro Tem Deakin and Trustee van Woudenberg voting no.

VIII. RESOLUTIONS

18-332 Public Hearing: A Resolution Of The Board Of Trustees Of The Town Of Erie Approving With Conditions The Minor Subdivision Plat For Canyon Creek Subdivision Filing No. 10

Erie Four Corners, LLC requests approval of a Minor Subdivision for 2 commercial lots and 2 future development tracts.

Mayor Carroll opened the public comment portion of the Public Hearing for Agenda Item 18-332 at 8:01 pm.

Jill Hadernick and Kristin Cito gave public comment on Agenda Item 18-332.

Mayor Carroll closed the public comment portion of the Public Hearing for Agenda Item 18-332 at 8:27 pm.

Mayor Pro Tem Deakin moved to approve Agenda Item 18-332; the motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

18-350 A Resolution Of The Board Of Trustees Of The Town Of Erie, Urging Erie Citizens To Vote "Yes" On Town Of Erie Ballot Question No. 3D

Trustee Haid moved to approve Agenda Item 18-350; the motion was seconded Trustee Gippe. The motion was carried with all present voting in favor thereof.

IX. ORDINANCES

18-340 An Ordinance Of The Board Of Trustees Of The Town Of Erie Repealing And Reenacting Chapter 2 Of Title 2 Of The Erie Municipal Code, Regarding Business Licenses. (SECOND READING)

Agenda Item 18-340 will return for Board action at the October 9, 2018 Regular Meeting.

18-344 An Ordinance Of The Board Of Trustees Of The Town Of Erie, Colorado, Amending Erie Municipal Code Section 6-8-3, Related To Obstructing Emergency Officials, And Section 6-8-7, Related To False Reports. (SECOND READING)

Agenda Item 18-344 will return for Board action at the October 9, 2018 Regular Meeting.

18-347 An Ordinance Of The Board Of Trustees Of Town Of Erie, Colorado, Revising Section 6-11-1 Of The Model Traffic Code Related To Unattended Motor Vehicles. (SECOND READING)

Agenda Item 18-347 will return for Board action at the October 9, 2018 Regular Meeting.

18-345 An Ordinance Of The Board Of Trustees Of The Town Of Erie Amending Sections 4-9-1, 4-11-2, 4-9-4 Of The Erie Municipal Code, Related To Marijuana Clubs (SECOND READING)

Agenda Item 18-345 will return for Board action at the October 9, 2018 Regular Meeting.

X. GENERAL BUSINESS

18-330 Review of Rex Ranch Filing No. 3 Sketch Plan

Consideration of a Sketch Plan which proposes ten single-family lots on 3.76 acres.

18-335 Cancellation of the December 25, 2018 Regular Meeting

The December 25, 2018 Regular Meeting has been canceled.

XI. STAFF REPORTS

18-331 Planning and Development Monthly Building Permit Report – August 2018

18-337 Water Treatment and Water Reclamation Monthly Report

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Mayor Carroll reported on government day at Meadowlark School. Mayor Carroll, Trustee Charles, and Acting Town Administrator Farrell Buller presented to the students on the function of local government and each of their roles.

XIII. EXECUTIVE SESSION

18-348 Executive session to hold a conference with the Town's attorneys to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), regarding oil and gas issues.

Mayor Pro Tem Deakin moved to go into 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), regarding oil and gas. Trustee Gippe seconded the motion. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, September 25, 2018, the time is 9:02 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 are the entire Board of Trustees with the exception of Trustee Charles, Town Attorney Kendra Carberry, Special Counsel Barbara Green and John Sullivan and Acting Town Administrator Farrell Buller. Mayor Carroll announced; the time is 10:16 pm, and the executive session has concluded.

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 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, Mayor Carroll moved to the next agenda item.

XIV. ADJOURNMENT

Mayor Carroll adjourned the September 25, 2018 Regular Meeting at 10:16 pm.