



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

BOARD OF TRUSTEES MEETING

Tuesday, October 23, 2018

6:30 PM

Board Room

AGENDA FOR THE STUDY SESSION IS A DISCUSSION OF THE REGULAR MEETING AGENDA BELOW

5:45 PM STUDY SESSION IN COMMUNITY ROOM

URBAN RENEWAL AUTHORITY MEETING 6:00 PM IN BOARD ROOM

REGULAR MEETING 6:30 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

Mayor Carroll called the October 23, 2018 Regular Meeting to order at 6:30 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

Excused: 1 - Trustee Haid

III. APPROVAL OF THE AGENDA

Trustee Charles moved to approve the agenda with the amendment of adding Certificates of Appropriateness to IX. General Business, and moving Agenda Item 18-381 to VII. Resolutions. Mayor Pro Tem seconded the motion; the motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- [18-371](#) Approval of October 9, 2018 Draft Meeting Minutes
- [18-361](#) A Resolution Approving a Public Records Policy for the Town of Erie
- [18-356](#) A Resolution Authorizing Award of a Construction Contract To Roof Evolution, LLC, For The Town Hall Roof Replacement Project In The Amount of \$43,978.00 for Construction and \$8,722 for Contingency.

- [18-374](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Construction Contract With The Growling Bear Co., Inc. For The Town Hall Window Replacement Project In The Amount Of \$194,382.76 And A Contingency Of \$19,400.
- [18-375](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Construction Contract With SEMA Construction, Inc. For The Erie Parkway Bridge Over Coal Creek In The Amount Of \$5,124,696.75 And A Contingency Of \$512,503.25.
- [18-377](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Construction Management Contract With Rocksol Consulting Group, Inc. For The Erie Parkway Bridge Over Coal Creek In The Amount Of \$484,834 And A Contingency Of \$48,466.
- [18-378](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Payment To United Power For Relocation And Providing Electrical Power And Lighting For The Erie Parkway Bridge Over Coal Creek In The Amount Of \$70,158.93 And A Contingency Of \$7,016.07.

Trustee Charles moved to approve the October 23, 2018 Consent Agenda; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with the following roll call vote:

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

V. PUBLIC COMMENT

Brian Bedrick of Erie, Colorado, gave public comment on the oil and gas operator agreement.

VI. PROCLAMATIONS AND PRESENTATIONS

VII. RESOLUTIONS

- [18-381](#) A Resolution Of The Board of Trustees of The Town of Erie to Enter Into A Purchase And Sale Agreement for The Purchase Of Real Property, Leases, Easements, Improvements and Related Assets for the Purposes of Economic Development.

Trustee Gippe moved to approve Agenda Item 18-381; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:

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

VIII. ORDINANCES

- [18-384](#) An Ordinance of The Board of Trustees of The Town of Erie Amending

Section 7-6-4.A. of The Erie Municipal Code, Concerning Parks and Recreation Facility Hours

Mayor Pro Tem Deakin moved to approve Agenda Item 18-384; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

[18-385](#)

PUBLIC HEARING: An Ordinance Of The Board Of Trustees Of The Town Of Erie Approving With Conditions The Rex Ranch Planned Unit Development Zoning Map (SECOND READING)

Consideration of PUD Zoning Map for the Rex Ranch Subdivision to allow setback encroachments for below grade window wells and eaves.

Mayor Carroll opened the public comment section of the Public Hearing for Agenda Item 18-385 at 6:40 pm.

There was no one present that wished to give public comment on this item.

Agenda Item 18-385 will return for Board action at November 13, 2018 Regular Meeting.

[18-387](#)

An Ordinance Providing For The Supplemental Appropriation Of Money To Various Funds In The Amounts And For The Purposes Set Forth Below, For The Town Of Erie, Colorado, For The 2018 Budget Year

Trustee Charles moved to approve Agenda Item 18-387; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with the following roll call vote:

Aye: 5 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Gippe, and Trustee van Woudenberg

Nay: 1 - Trustee Woog

[18-388](#)

PUBLIC HEARING: An Ordinance Summarizing Expenditures And Revenues For Each Fund And Adopting A Budget For The Town of Erie, Colorado, For The Calendar Year Beginning The First Day Of January, 2019 And Ending On The Last Day Of December, 2019

Mayor Carroll opened the public comment section of the Public Hearing for Agenda Item 18-388 and 18-389 at 6:52 pm. There was no one present that wished to give public comment on that item.

Mayor Carroll closed the public comment section of the Public Hearing for Agenda Item 18-388 and 18-389 at 6:58 pm.

Mayor Pro Tem Deakin moved to approve Agenda Item 18-388; the motion was seconded by Trustee van Woudenberg. The motion carried with the following roll call vote:

Aye: 4 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Gippe, and Trustee van Woudenberg

Nay: 2 - Trustee Charles, and Trustee Woog

[18-389](#) PUBLIC HEARING: An Ordinance Appropriating Sums Of Money To The Various Funds In The Amounts And For The Purpose As Set Forth Below For The Town Of Erie, Colorado, For The 2019 Budget Year.

Mayor Pro Tem Deakin moved to approve Agenda Item 18-389; the motion was seconded by Trustee van Woudenberg. The motion carried with the following roll call vote:

Aye: 4 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Gippe, and Trustee van Woudenberg

Nay: 2 - Trustee Charles, and Trustee Woog

[18-394](#) An Emergency Ordinance of The Board of Trustees of The Town of Erie Repealing Sections 10.7.3 And 10.7.17 Of The Erie Municipal Code, Relating To Annexations

Mayor Pro Tem Deakin moved to approve Agenda Item 18-394; the motion was seconded by Trustee van Woudenberg. The motion carried with all present voting in favor thereof.

IX. GENERAL BUSINESS

[18-382](#) Presentation of Final I-25 & Erie Parkway Master Plan Recommendation

X. STAFF REPORTS

[18-370](#) WCR 6 & WCR 7 Road Closure

[18-380](#) Planning and Development Monthly Building Permit Report – September 2018

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee van Woudenberg reminded the Board and citizens of the leaf composting events. Trustee van Woudenberg also reminded the public to vote.

Mayor Pro Tem Deakin asked the public to vote.

Trustee Charles reported on the progress of the Holbrook Survey grant. He also invited the Board to attend an upcoming orientation by Mark Rodman of History Colorado. Trustee Charles directed Town staff to contact applicants from the spring to see if they were still interested in serving on the Historic Preservation Advisory Board.

Trustee Gippe reported on the upcoming Planning Open House. He also reminded the public of the Halloween Safety Stop at 4 pm at the Police Department.

Trustee Woog invited all to attend Boo on Briggs at 4 pm.

Mayor Carroll gave an update on the Town Administrator search. Mayor Carroll announced that interviews would be conducted during the first week of December. Mayor Carroll asked interested members of the public to apply.

XII. EXECUTIVE SESSION

[18-372](#)

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

Trustee Charles seconded the motion; the motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, October 23, 2018, the time is 8:03 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, Town Attorney Kendra Carberry, special counsel Barbara Green and John Sullivan, and Acting Town Administrator Farrell Buller. Mayor Carroll announced; the time 9:52 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.

[18-383](#)

Action as result of Executive Session

An engagement session was scheduled for Saturday, October 27, 2018 to discuss the Crestone Operator Agreement.

XIII. ADJOURNMENT

Mayor Carroll adjourned the October 23, 2018 Regular Meeting at 10:00 pm.