



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Board of Trustees

Tuesday, April 9, 2019

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

Madam Mayor Carroll called the April 9, 2019 Regular Meeting to order at 6:30 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

Absent: 1 - Trustee Charles

III. APPROVAL OF THE AGENDA

Mayor Pro Tem Deakin moved to amend the agenda to remove the oath of office for Judge Beato (Agenda Item 19-171), the resolution appointing Judge Beato (Agenda Item 19-191), and Open Space & Trails Advisory Board Appointments (Agenda Item 19-170). Trustee Haid seconded the motion. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA 6:35 PM

Mayor Pro Tem Deakin moved to approve the 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

[19-165](#)

A Resolution of the Board of Trustees of the Town of Erie Approving a Construction Agreement with KC Construction for the Installation of Tile at the Erie Community Center in an Amount Not to Exceed \$191,708

Attachments: [Resolution](#)
[Construction Agreement](#)

[19-169](#) Approval of March 26, 2019 Draft Meeting Minutes

Attachments: [March 26, 2019 Draft Meeting Minutes](#)

[19-190](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Appointing Teresa Ablao as the Presiding Judge of the Erie Municipal Court

Attachments: [Resolution](#)

[19-191](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Appointing Melissa Beato as Assistant Municipal Judge of the Erie Municipal Court

Attachments: [Resolution](#)

V. OATHS OF OFFICE 6:40 PM

[19-171](#) Oaths of Office for Municipal Judges Teresa Ablao & Melissa Beato

Attachments: [Oath of Office - Teresa Ablao](#)
[Oath of Office - Melissa Beato](#)

VI. PUBLIC COMMENT 6:50 PM

VII. PROCLAMATIONS AND PRESENTATIONS 7:00 PM

[19-176](#) Erie Municipal Airport Monthly Report - March 2019

Attachments: [Airport Manager's Report](#)

[19-185](#) Arbor Day Proclamation

Attachments: [Proclamation](#)
[Arbor Day/Earth Day Flyer](#)

[19-186](#) Earth Day Proclamation

Attachments: [Proclamation](#)
[Arbor Day/Earth Day Flyer](#)

VIII. RESOLUTIONS 7:20 PM

[19-177](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the North Water Reclamation Facility Expansion Master Plan

Attachments: [Resolution](#)[North Water Reclamation Facility MAster Plan.pdf](#)[Presentation for the North Water Reclamation facility Master Plan.pptx](#)

Mayor Pro Tem Deakin moved to approve Agenda Item 19-177; the motion was seconded by Trustee van Woudenberg. The motion carried with all present voting in favor thereof.

[19-175](#)

A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with HDR Engineering, Inc. for the North Water Reclamation Facility Expansion Project

Attachments: [Resolution](#)[Professional Services Agreement](#)

Mayor Pro Tem Deakin moved to approve Agenda Item 19-175; the motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

[19-187](#)

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to the Amended and Restated Service Plan for the Erie Farm Metropolitan District

Attachments: [Resolution](#)[Petition](#)[Review](#)

Madam Mayor Carroll opened the public hearing at 7:18 pm.

Joan Fritsche, Representative of the Erie Farms Metropolitan District, of 1331 17th Street, Ste 500, Denver, Colorado 80202, presented to the Board of Trustees.

Madam Mayor Carroll closed the public hearing at 7:32 pm.

Mayor Pro Tem Deakin moved to continue Agenda 19-187 to the May 14, 2019 Regular Meeting. The motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

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

X. ORDINANCES 8:20 PM[19-168](#)

Ordinances of the Board of Trustees of the Town of Erie Consenting to Inclusions into the Northern Colorado Water Conservancy District

Attachments: [1a. Ordinance - 19-168](#)
[2a. Ordinance 19-168](#)
[2b. Exhibit A - Case No. 9454](#)
[3a. Ordinance - 19-168](#)
[4a. Ordinance - 19-168](#)
[4b. Exhibit A - Case No. 9454 SI](#)

Mayor Pro Tem Deakin moved to approve the ordinance labeled Ordinance 1a. The motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Pro Tem Deakin moved to approve the ordinance labeled Ordinance 2a. The motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Pro Tem Deakin moved to approve the ordinance labeled Ordinance 3a. The motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Pro Tem Deakin moved to approve the ordinance labeled Ordinance 4a. The motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

XI. STAFF REPORTS 8:35 PM

[19-166](#) 2019 Project and Development Open House

Attachments: [2019 Anticipated Design and Construction Projects](#)
[2019 Anticipated and Potential Developments.pdf](#)

[19-183](#) Serene Park Grand Opening

Attachments: [Serene Park Grand Opening Flyer](#)

[19-189](#) Town Administrator's 1st Quarterly Status Report on 2019 Work Plan

Attachments: [2019 Work Plan Detailed Descriptions](#)
[2019 Work Plan Detailed Descriptions](#)

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 9:10 PM

Mayor Pro Tem Deakin reported on a DR COG Subregional TIP meeting. Mayor Pro Tem Deakin reminded the public that snow is coming.

Trustee Gippe thanked Mayor Pro Tem Deakin for attending the DR COG Subregional TIP meeting. Trustee Gippe echoed that bad weather is coming our way. Trustee Gippe announced that a new committee will be formed, Organizing Neighborhoods of Erie. Trustee Gippe advised interested parties to email him at bgippe@erieco.gov if they would like to join the committee.

Mayor Carroll reminded the public to check out the town's website and facebook

page for upcoming events in April.

[19-172](#) Appointments to the Sustainability Advisory Board

Attachments: [Memo of Recommendation](#)

[Adam Jackson - Sustainability - 03-20-2019](#)

[Berenice Gracia - Sustainability - 03-20-2019](#)

[DeAndrea Arndt - Sustainability - 03-20-2019](#)

[Mitchell Steiner - Sustainability - 03-20-2019](#)

Trustee van Woudenberg moved to appoint Adam Jackson to the Sustainability Advisory Board with a term expiration of April 2022. Trustee Gippe seconded the motion. The motion carried with a five (5) for and one (1) against vote with Trustee Woog voting no.

Trustee van Woudenberg moved to appoint Berenice Gracia to the Sustainability Advisory Board with a term expiration of April 2020. Trustee Gippe seconded the motion. The motion carried with a five (5) for and one (1) against vote with Trustee Woog voting no.

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

Nay: 1 - Trustee Woog

[19-170](#) Appointments to the Open Space & Trails Advisory Board

Attachments: [Memo of Recommendation](#)

[Christopher Aaron](#)

[David Tazik](#)

[Gary Stummer](#)

[Matthew Jeffrey](#)

[Matthew Martin](#)

[William Chapman III](#)

XIII. EXECUTIVE SESSION 9:20 PM

[19-155](#) An Executive Session to Hold a Conference with the Town's Attorney to Receive Legal Advice on Specific Legal Questions, pursuant to C.R.S. § 24-6-402(4)(b), Concerning Water Rights

Mayor Pro Tem Deakin moved to go into executive session to hold a conference with The Town's Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), concerning water rights and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning the proposed settlement agreement with Lafayette. Trustee Haid seconded the motion. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, April 9, 2019, and the time is 8:25 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 Paul Zilis and Andrea Kehrl, Public Works Director Todd Fessenden, Economic Development Director Ben Pratt, Finance Director Steve Felten, Town Administrator Malcolm Fleming, and Deputy Town Administrator Farrell Buller.

Mayor Carroll announced; the time 9:56 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.

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

[19-192](#)

An Executive Session To Determine Positions Relative To Matters That May Be Subject To Negotiations, Develop A Strategy For Negotiations, And/Or Instruct Negotiators, Pursuant To C.R.S. § 24-6-402(4)(e), Concerning The Proposed Settlement Agreement With Lafayette

XIV. GENERAL BUSINESS 9:50 PM

[19-156](#)

Action as a Result of Executive Session

Mayor Pro Tem Deakin moved to approve a resolution to appropriate apply for water rights on behalf of the Town of Erie. Trustee Haid seconded the motion. The motion carried with all present voting in favor thereof.

XV. ADJOURNMENT 10:00 PM

Mayor Carroll adjourned the April 9, 2019 Regular Meeting at 10:03 pm.