



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### Board of Trustees

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Tuesday, April 23, 2019

7:00 PM

Board Room

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#### 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 7:00 PM IN THE BOARD ROOM

#### I. CALL MEETING TO ORDER

Madam Mayor Carroll called the April 23, 2019 Regular Meeting to order at 8:24 pm.

#### II. PLEDGE OF ALLEGIANCE AND ROLL CALL

**Present:** 6 - Mayor Carroll  
Trustee Charles  
Trustee Woog  
Trustee Haid  
Trustee Gippe  
Trustee van Woudenberg

**Excused:** 1 - Mayor Pro Tem Deakin

#### III. APPROVAL OF THE AGENDA

Trustee Woog moved to approve the agenda with the amendment of moving Agenda Item 19-200 from the Consent Agenda to Resolutions. Trustee Gippe seconded the motion. The motion carried with a five (5) for and one (1) against vote with Trustee van Woudenberg voting no.

**Aye:** 6 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, and Trustee Gippe

**Nay:** 1 - Trustee van Woudenberg

#### IV. OATH OF OFFICE - MUNICIPAL JUDGES 7:05 PM

[19-206](#)

Oaths of Office for Municipal Judges Melissa Beato & Michelle Kline

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

[Oath of Office - Michelle Kline](#)

Agenda Item 19-206 will occur on the May 28, 2019 Regular Meeting.

**V. CONSENT AGENDA 7:10 PM**

Trustee Haid moved to approve the Consent Agenda; the motion was seconded by Trustee van Woudenberg. The motion carried with the following roll call vote:

**Aye:** 6 - Mayor Carroll, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

**Aye:** 6 - Mayor Carroll, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

[19-121](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Intergovernmental Agreement with Boulder County Concerning Boulder County's Environmental Sustainability Matching Grant Program

**Attachments:** [Resolution](#)

[IGA with Boulder County Grant Matching Program](#)

[19-195](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Services with Metro Pavers, Inc. for 2019 Asphalt Repair Services

**Attachments:** [Resolution](#)

[Agreement for Services](#)

[19-196](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Services with Colorado Barricade Company for 2019 Street Signage Services

**Attachments:** [Resolution](#)

[Agreement For Services](#)

[19-200](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with Lotus Engineering & Sustainability, LLC for the Sustainability Master Plan

**Attachments:** [Resolution](#)

[Agreement for Services](#)

[19-202](#) Approval of April 9, 2019 Draft Meeting Minutes

**Attachments:** [April 9, 2019 Draft Meeting Minutes](#)

[19-205](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Municipal Jail Services with Weld County

**Attachments:** [Resolution](#)

[Agreement for Services](#)

[19-207](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado

Appointing Michelle R. Kline as Assistant Municipal 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](#)

[19-212](#) A Resolution Approving a Letter of Agreement with the Colorado District Council of the Urban Land Institute for a Technical Advisory Panel in an Amount Not to Exceed \$10,000

**Attachments:** [Resolution](#)  
[Letter of Engagement](#)

## **VI. PUBLIC COMMENT 7:15 PM**

Becky Maitien gave public comment on the Spring Hill Sketch Plan.

Larry Fiegland of 308 Westview Road, Erie, Colorado, gave public comment on the Spring Hill Sketch Plan.

Liz Fisher of 635 Moffat Street, Erie, Colorado, gave public comment on the Spring Hill Sketch Plan.

Jim Briars of 635 Moffat Street, Erie, Colorado, gave public comment on urban renewal.

## **VII. RESOLUTIONS 7:25 PM**

[19-194](#) PUBLIC HEARINGS:  
1. Preliminary Plat  
A Resolution Of The Board Of Trustees Of The Town Of Erie Approving The Preliminary Plat For The Main Street Subdivision.  
2. Special Review Use  
A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Special Review Use For A Residential Assembly (HOA), At Block 3, Lot 5, Main Street Subdivision.

**Attachments:** [a. Update - Staff Memo 5-28-2019](#)  
[b. Update - Fire District Referral Memo](#)  
[c. Staff Memo 4-23-2019](#)  
[d. Planning Commission Resolution No. P19-03 \(Preliminary Plat\)](#)  
[e. Resolution No. \\_\\_\\_\\_-2019 \(Preliminary Plat\)](#)  
[f. Planning Commission Resolution No. P19-08 \(HOA Facility Special Review Use\)](#)  
[g. Resolution No. 19- \\_\\_\\_\\_ \(HOA Facility Special Review Use\)](#)  
[h. Planning Commission Minutes - April 3, 2019](#)  
[i. Exhibit A - Preliminary Plat](#)  
[j. Special Review Use Documents](#)  
[k. Other Applicant Materials](#)  
[l. Referral Memo - CGS](#)  
[m. Public Comment](#)

Madam Mayor Carroll opened the public hearing at 8:45 pm.

The applicant, Tom Hoppets of Old Town Living, LLC, presented to the Board of Trustees.

David Lotton of 365 Main Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Jim Briars of 635 Moffat Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Liz Fisher of 635 Moffat Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Sarah Poud of 434 Holbrook Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Donna Geithma of 355 Main Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Lois Joyce of 514 Balcolm Street, Erie, Colorado, gave public comment on Agenda Item 19-194.

Madam Mayor Carroll closed the public hearing at 10:07 pm.

Trustee Charles moved to continue Agenda Item 19-194 to the May 28, 2019 Regular Meeting. Trustee Woog seconded the motion. The motion carried with all present voting in favor thereof.

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

## **IX. GENERAL BUSINESS 8:25 PM**

A motion was made by Trustee Haid, seconded by Trustee Charles, that this Agenda Item be continued. The motion carried by the following vote:

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

[19-198](#) Spring Hill Sketch Plan

The application proposes a total of 632 lots and 33 tracts as well as right of way, parks, and open space.

**Attachments:** [a. Staff Memo](#)  
[b. Review Comments](#)  
[c. Sketch Plan](#)  
[d. Applicant Submittal](#)  
[e. PC Meeting Minutes](#)

**Agenda Item 19-198 was continued to the May 14, 2019 Regular Meeting.**

[19-199](#) Review of the Erie Village Filing No. 5 Sketch Plan

Proposal to develop the property as residential/commercial with 32 single-family units, 38 multi-family (townhome) units, and 30,000 square feet (2 buildings) of commercial development located west of East County Line Road and surrounded by C.W. Bixler Boulevard.

**Attachments:** [a. Staff Memo](#)  
[b. Staff & Agency Review Comments](#)  
[c. Sketch Plan Exhibits](#)  
[d. Applicant Materials](#)  
[e. PC Meeting Minutes](#)

**Agenda Item 19-199 was continued to the May 28, 2019 Regular Meeting.**

## **X. STAFF REPORTS 9:25 PM**

[19-178](#) Public Works Monthly Report - April

**Attachments:** [Monthly Report](#)

[19-211](#) Audio Video Renovation Project

[19-193](#) 14th Annual Spring Clean Up

## **XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 9:25 PM**

Trustee van Woudenberg reported on the resolutions passed by Open Space & Trails Advisory Board, Tree Board, and Sustainability Advisory Board in support of native trees. Trustee van Woudenberg requested town staff work to move the process forward and provide guidance. Trustee van Woudenberg invited the public attend Arbor Day celebrations on April 27, 2019 at the Erie Community

Center.

Trustee Haid encouraged the public to shop Erie.

Trustee Charles reported on the condition assessments on landmarked properties. Trustee Charles also followed on a memo from the Historic Preservation Advisory Board regarding the Eagle Mine.

Trustee Gippe reported on looking forward to the Arbor Day celebrations. Trustee Gippe also reported on the first ONE meeting involving neighborhoods in Erie.

Madam Mayor Carroll reported on a meeting with Boulder Valley School District.

#### 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](#)

Trustee Haid moved to appointment David Tazik to the Open Space & Trails Advisory Board for a term expiring in April 2020. The motion was seconded by Trustee van Woudenberg. The motion carried with all present voting in favor thereof.

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

## **XII. EXECUTIVE SESSION 9:35 PM**

#### 19-201

Executive session: (1) To consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), 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), for which a topic cannot be disclosed without compromising the purpose of the executive session; and (2) 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 moved to go into an executive session: (1) To consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), 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), for which a topic cannot be disclosed without compromising the purpose of the executive session; and (2) 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. The motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Madam Mayor Carroll announced; It's Tuesday, April 23, 2019, and the time is 10:29 pm. For the record, I am the presiding officer, Madam 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, Economic Development Director Ben Pratt, Finance Director Steve Felten, Town Administrator Malcolm Fleming, and Deputy Town Administrator Farrell Buller.

Madam Mayor Carroll announced; the time 11:04 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, Madam Mayor Carroll moved to the next agenda item.

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

### **XIII. ADJOURNMENT 10:05 PM**

Madam Mayor Carroll adjourned the April 23, 2019 Regular Meeting at 11:05 pm.