



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Board of Trustees

Tuesday, May 28, 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 May 28, 2019 Regular Board of Trustees Meeting to order.

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

Trustee Woog moved to approve the agenda with the following amendments: 1) move Agenda Item 19-263 after Agenda Item 19-194 2) move Agenda Item 19-257 off of the Consent Agenda to the Ordinances section 3) move Agenda Item 19-261 to follow the Presentations & Proclamations section. The motion was seconded by Trustee Gippe. 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

IV. SWEARING IN OF MUNICIPAL JUDGES 6:35 PM

[19-206](#)

Oaths of Office for Municipal Judges Melissa Beato & Michelle Kline

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

[Oath of Office - Michelle Kline](#)

VI. CONSENT AGENDA 7:00 PM

Mayor Pro Tem Deakin moved to approve the Consent Agenda; the motion was

seconded by Trustee Haid. The motion carried with a six (6) for and one (1) against vote with Trustee Charles voting no.

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

Nay: 1 - Trustee Charles

[19-247](#)

A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications for the Flatiron Meadows Filing No. 12 Final Plat

Approval of a Development Agreement and acceptance of dedications on the Flatiron Meadows Filing No. 12 Final Plat, which includes 38 single-family lot and 3 landscape tracts on 13.941 acres. The final plat is located southeast of Marble Drive and Limestone Drive.

Attachments: [a. Resolution](#)
[b. Staff Memo](#)
[c. Development Agreement](#)
[d. Flatiron Meadows Filing No. 12 Final Plat](#)

[19-248](#)

Approval of May 14, 2019 Draft Meeting Minutes

Attachments: [May 14, 2019 Draft Meeting Minutes](#)

VI. PUBLIC COMMENT 7:15 PM

Scott Gessler of 2027 S. 11th Ave, Denver, Colorado, gave public comment on Agenda Item 19-261.

Representative Lori Saine gave public comment on Agenda Item 19-261.

Judith Jergensen of 12915 McCune Road, Elbert, Colorado, gave public comment on Agenda Item 19-261.

Joan Griep of 3219 W 11th Ave Place, Broomfield, Colorado, gave public comment on Agenda Item 19-261.

Lois E. Rice of 2188 Pinoli Drive, Erie, Colorado, gave public comment on Agenda Item 19-261.

Kim Monson gave public comment on Agenda Item 19-261.

Jennifer Elliston of 105 Equinox Circle, Erie, Colorado, gave public comment on Agenda Item 19-261.

Bryan Elliston of 105 Equinox Circle, Erie, Colorado, gave public comment on Agenda Item 19-261.

Tony Prater of 605 Moffat Street, Erie, Colorado, gave public comment on traffic.

Commissioner Kirkmeyer gave public comment on gave public comment on Agenda Item 19-261.

Curt Cheesman of 2270 Front Range Road, Erie, Colorado, gave public comment on the Police Department.

VII. PROCLAMATIONS AND PRESENTATIONS 7:30 PM

[19-249](#) A Proclamation Declaring June 7th to be National Gun Violence Awareness Day

Attachments: [Proclamation](#)

[19-261](#) Erie Community Center Facility Rental Policy

Attachments: [2019.05.24 DRAFT POLICY REGARDING RENTAL OF COMMUNITY ROOMS](#)
[Facility Rental Guidelines](#)
[Neighboring Communities Rental Policies Study](#)
[2016 Campaigning at Town Facilities Policy](#)

VIII. RESOLUTIONS 7:45 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 for Agenda Item 19-194 at 7:34 pm.

Dave Lotton, Donna Gikman, Tony Priade, Tracy Colburn, Chris McGrath, Kevin Shard, and Cammi Arson gave public comment on Agenda Item 19-194.

Madam Mayor Carroll closed the public hearing for Agenda Item 19-194 at 8:42 pm.

Mayor Pro Tem Deakin moved to approve the resolution approving
1. Preliminary Plat - A Resolution Of The Board Of Trustees Of The Town Of Erie Approving The Preliminary Plat For The Main Street Subdivision. Trustee Woog seconded the motion. The motion carried with a five (5) for and two (2) against vote with Trustee van Woudenberg and Trustee Gippe voting no.

Mayor Pro Tem Deakin moved to approve the resolution approving
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. Trustee Charles seconded the motion. The motion carried with a six (6) for and one (1) against vote with Trustee Gippe voting no.

V. EXECUTIVE SESSION 6:45 PM

19-263

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

Mayor Pro Tem Deakin moved to go into 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. Trustee Charles seconded the motion; the motion carried with all present voting in favor thereof.

Madam Mayor Carroll announced; It's Tuesday, May 28, 2019, and the time is 9:00 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 Hilary Graham, Finance Director Steve Felten, Economic Development Director Ben Pratt, and Town Administrator Malcolm Fleming.

Mayor Carroll announced; the time 9:25 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: 7 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

[19-262](#)

PUBLIC HEARING: A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Intergovernmental Agreement With The City Of Lafayette And The Town Of Erie Urban Renewal Authority

Attachments: [Resolution](#)

[IGA](#)

Madam Mayor Carroll opened the public hearing for Agenda Item 19-262 at 9:24 pm.

Tyler Carlson and Ray Schlott gave public comment on Agenda Item 19-262.

Madam Mayor Carroll closed the public hearing at 9:39 pm.

Mayor Pro Tem Deakin moved to approve Agenda Item 19-262; the motion was seconded by Trustee Haid. The motion carried with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.

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

Nay: 2 - Trustee Charles, and Trustee Woog

IX. ORDINANCES 9:15 PM

[19-161](#)

An Ordinance of the Board of Trustees of the Town of Erie Approving with Conditions the Compass Filing 4 Planned Unit Development

Attachments: [a. Ordinance](#)

[b. Staff Memo](#)

[c. PUD Zoning Map](#)

[d. PUD Application Materials](#)

[e. Neighborhood Mtg Summary Letter](#)

[f. PC Meeting Minutes](#)

Trustee Charles moved to approve Agenda Item 19-161; the motion was seconded Trustee Woog. 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

[19-257](#)

An Ordinance of the Board of Trustees of the Town of Erie Amending Title 1 of the Erie Municipal Code by the Addition of a New Chapter 8, Creating a Local Emergency Management Agency

Attachments: [Ordinance](#)

Trustee van Woudenberg moved to approve Agenda Item 19-257; the motion was seconded by Trustee Gippe. 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

X. GENERAL BUSINESS 9:45 PM[19-252](#)

Review and comment of the Canyon Creek Filing No. 7 & 8 Sketch Plan application for 109 single-family lots and 88 duplex lots south of the RTD railroad right-of-way and north of where Jasper Road dead ends.

Attachments: [a. Staff Memo](#)
[b. Staff & Agency Review Comments](#)
[c. Sketch Plan Exhibits](#)
[d. Applicant Materials](#)
[e. Planning Commission Meeting Minutes from 5/15/19](#)

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 10:45 PM

Trustee Charles reported that the Historic Preservation Advisory Board had a successful day at Town Fair.

Trustee Gippe thanked staff for their support at RECON. Trustee Gippe reported that he attended a traffic circulation downtown study with Trustee van Woudenberg to discuss different downtown parking possibilities.

Trustee Woog wished Trustee Charles a happy birthday. Trustee Woog reported on possible economic development with Weld County.

Trustee van Woudenberg reported on a downtown resident meeting. Trustee van Woudenberg asked staff to notify more residents and communicate opportunities to engage. Trustee van Woudenberg reported on the Boulder Boulder and the Memorial Day event at the Mount Pleasant Cemetery.

Trustee Haid reported on the Erie High School graduation on Saturday. Trustee Haid thanked staff for their work at RECON. Trustee Haid reminded the public to shop Erie.

XIII. EXECUTIVE SESSION 11:00 PM[19-259](#)

An Executive Session for discussion of a personnel matter not involving any specific employees who have requested discussion of the matter in open session, any member of this body or any elected official, the appointment of any person to fill an office of this body or of an elected official, or personnel policies that do not require the discussion of matters personal to particular employees, pursuant to C.R.S. § 24-6-402(4)(f), concerning a performance evaluation of the Town Administrator

Agenda Item 19-258 was continued to the June 4, 2019 Special Board of Trustees Meeting.

XIV. ADJOURNMENT 11:30 PM

Madam Mayor Carroll adjourned the May 28, 2019 Regular Board of Trustees Meeting at 10:55 pm.