



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Board of Trustees

Tuesday, August 13, 2019

6:30 PM

Board Room

TIMES LISTED ARE APPROXIMATIONS

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 August 13, 2019 Regular Board of Trustees meeting to order at 6:37 pm.

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

Mayor Pro Tem Deakin moved to approve the agenda; 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

IV. CONSENT AGENDA 6:35 PM

Mayor Pro Tem Deakin moved to approve the Consent Agenda with the amendment of moving Agenda Items 19-367 and 19-370 from the IV. Consent Agenda to VII. Resolutions. Trustee Gippe seconded the motion. The motion carried with the following roll call vote:

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

[19-327](#)

A Resolution of the Board of Trustees of the Town of Erie Approving an

Agreement for Services with Metro Pavers, Inc. for Vista Parkway Improvements in the Amount of \$178,361.94

Attachments: [Resolution](#)
[Agreement for Services](#)
[Vista Parkway Improvement Map](#)

[19-350](#) Approval of July 23, 2019 Meeting Minutes

Attachments: [July 23, 2019 Meeting Minutes](#)

[19-351](#) The National Society of Daughters of the American Revolution Indian Peaks Chapter's proposal to construct a Veteran's Memorial at Mount Pleasant Cemetery

Attachments: [Proposed Veterans Monument](#)

V. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA 6:40 PM

Rich Hiegel of 105 Wells Street, Erie, Colorado, gave public comment on parking.

VI. PROCLAMATIONS AND PRESENTATIONS 6:50 PM

[19-368](#) 2019 Community Survey Results

Attachments: [NCS 2019 Survey - PowerPoint Presentation](#)
[2019 Community Survey Results Report](#)
[Mayor's Letter to Residents](#)
[NCS 2017 Survey - PowerPoint Presentation](#)
[NCS 2015 Survey - PowerPoint Presentation](#)

Trustee van Woudenberg requested that Town Staff attach the 2015 and 2016 Community Survey results to the August 13, 2019 packet and republish the packet material on the Town's website.

The Board of Trustees reached a consensus to discuss the Community Survey results during the 2020 Work Plan Priorities agenda item at the August 20, 2019 Board of Trustees Study Session.

VII. RESOLUTIONS 7:30 PM

[19-367](#) A Resolution of the Board of Trustees of the Town Of Erie Approving a Construction Management At-Risk (CMAR) Contract with Archer Western Construction, LLC for the North Water Reclamation Facility Expansion in the Amount of \$255,000

Attachments: [Resolution](#)
[CMAR Contract](#)

Mayor Pro Tem Deakin moved to approve Agenda Item 19-367; the motion was

seconded by Trustee Haid. The motion carried with the following roll call vote:

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

19-370

A Resolution Approving a Professional Services Agreement with Raftelis Financial Consultants for Completion of a Water, Wastewater and Storm Drainage Rate and Fee Study

Attachments: [Resolution - Water, Wastewater & Storm Drainage Rate Study - 2019-08-13 Agreement for Services](#)
[Raftelis Utility Rate Study Proposal - 2019-07](#)

Mayor Pro Tem Deakin moved to approve Agenda Item 19-370; the motion was seconded by Trustee Charles. The motion carried with a six (6) for and one (1) against roll call vote with Trustee Woog voting no.

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

Nay: 1 - Trustee Woog

19-328

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving with Conditions the Minor Subdivision for Vista Ridge Filing No. 14, 5th Amendment and the Associated Development Agreement

The property is located southeast of Ridge View Circle and Ridge View Drive. The land use application requested for consideration is a minor subdivision for Vista Ridge Filing No. 14, 5th Amendment, which includes three commercial lots on 7.31 acres.

Attachments: [a\) Staff Memo](#)
[b\) Resolution](#)
[c\) Development Agreement](#)
[d\) Vista Ridge Filing No. 14, 5th Amendment minor subdivision](#)
[e\) Applicant Information](#)
[f\) Referral Comments](#)

Madam Mayor Carroll opened the Public Hearing for Agenda Item 19-328 at 7:45 pm.

Chris LaRue, Senior Planner, presented to the Board of Trustees and responded to questions.

James Spehalski of Marathon Land Company responded to questions from the Board of Trustees

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

Madam Mayor Carroll closed the public comment portion of the Public Hearing at

7:52 pm.

Trustee Charles moved to approve Agenda Item 19-328; 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

[19-372](#)

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie approving the Service Plan for the Nine Mile Metropolitan District

Attachments: [Resolution](#)

[Service Plan](#)

[2019.08.13 Nine Mile Metro District Presentation](#)

Madam Mayor Carroll opened the Public Hearing for Agenda Item 19-372 at 7:53 pm.

The applicant, Tyler Carlson of Evergreen Devco, Inc., presented to the Board of Trustees.

Town Attorney, Kendra Carberry, provided additional details - the proposed Nine Mile Metropolitan District would not include a mill levy and would rely on Urban Renewal Authority funds. Ms. Carberry also added that the proposed Nine Mile Metropolitan District Service Plan is in compliance with the Town's Model Service Plan. Ms. Carberry stated that the Town would not approve IGA with the proposed Nine Mile Metropolitan District until district is formed.

Madam Mayor Carroll closed the public comment portion of the Public Hearing for Agenda Item 19-372 at 8:08 pm. Madam Mayor Carroll then opened the public Hearing at 8:08 pm.

Tyler Carlson, Kendra Carberry, and Malcolm Fleming responded to questions on when construction would start, was one anchor required for bond funding among other questions.

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

Madam Mayor Carroll closed the Public Hearing for Agenda Item 19-372 at 8:14 pm.

Trustee Charles moved to approve Agenda Item 19-372; the motion was seconded by Trustee Gippe. The motion carried with a six (6) for and one (1) against vote with Trustee Woog voting no.

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

Nay: 1 - Trustee Woog

[19-375](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Fifth Amendment to the Disposition and Development Agreement for the Nine Mile Project

Attachments: [Resolution](#)

[Fifth Amendment to Disposition and Development Agreement](#)

Trustee Haid moved to approve Agenda Item 19-375; the motion was seconded by Mayor Pro Tem Deakin. 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

[19-374](#)

A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement For Services with DPZ CoDesign, LLC for the Four Corners Master Plan and Unified Development Code Review in the Amount of \$380,000

Attachments: [Resolution](#)

[Agreement for Services](#)

[DPZ CoDesign Proposal - Consultant for Master Plan of "Four Corners"](#)

Trustee Gippe moved to approve Agenda Item 19-374; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with a five (5) for and two (2) against roll call 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

VIII. ORDINANCES 8:45 PM

[19-359](#)

An Ordinance of the Board of Trustees of the Town of Erie Amending Title 8 of the Erie Municipal Code Concerning Industrial Pretreatment Requirements

Attachments: [Ordinance](#)

Trustee Charles moved to approve Agenda Item 19-359; 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

[19-253](#)

An Ordinance of the Board of Trustees of the Town of Erie Amending Sections 2-10-6, 8-1-8, 8-1-13 and 8-1-17 of the Erie Municipal Code to Implement New Non-Potable Water Rates and Tap Fees, and to Address Water Metering and Cross-Connection Controls

Attachments: [Ordinance](#)

Trustee Charles moved to approve Agenda Item 19-253; 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

IX. STAFF REPORTS 9:00 PM

[19-369](#) Oil and Gas Update - Staff Actions

Attachments: [Current UDC Chapter 10.12](#)
[Draft Updates to UDC Chapter 10.12](#)
[Draft Board of Trustee Policy Statement on Oil and Gas Development](#)
[Community Outreach Plan for 2019 Oil and Gas Operations](#)

Farrell Buller, Deputy Town Administrator, presented to the Board of Trustees.

[19-361](#) Erie Municipal Airport Monthly Report - July 2019

Attachments: [July Report](#)

[19-362](#) Public Works Monthly Report - August

Attachments: [Monthly Report](#)

X. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 10:00 PM

Trustee Woog asked Town Staff about the source of funding for the North Water Reclamation Facility construction.

Trustee van Woudenberg reported on working with elected officials from other communities, state officials, and activists to work on best steps forward in a post-Senate Bill 19-181 world. Trustee van Woudenberg also reported that the Unified Development Code has a ways to go.

Trustee Gippe thanked the Police Department for an amazing National Night Out. Trustee Gippe reminded the public to attend the Touch-A-Truck event on Saturday, August 17, 2019 between 9 am and 12 pm.

Madam Mayor Carroll thanked the Police Department for National Night Out and stated that the event got better every year.

XI. ADJOURNMENT 10:15 PM

Madam Mayor Carroll adjourned the August 13, 2019 Regular Board of Trustees Meeting at 9:51 pm.