



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Board of Trustees

Tuesday, October 8, 2019

7:00 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 7:00 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

Madam Mayor Carroll called the October 8, 2019 regular Board of Trustees meeting to order at 7:00 pm.

II. 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 amend the agenda to 1) move Agenda Item Nos. 19-482, 19-460, 19-470, and 19-482 from the Consent Agenda section to the Resolutions section 2) Remove Agenda Item No. 19-469 from the Consent Agenda and continue Agenda Item No. 19-469 to the October 22, 2019 regular Board of Trustees meeting. 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

IV. CONSENT AGENDA 7:05 PM

Trustee Haid moved to approve the Consent Agenda as amended; 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

[19-476](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for the Right Move Subdivision Replat A, 1st Amendment Subdivision

Attachments: [a. Resolution](#)
[b. Development Agreement \(proposed 2019\)](#)
[c. The Right Move Subdivision Replat A, 1st Amendment Final Plat](#)
[d. 1999 Development Agreement](#)
[e. 2005 Development Agreement](#)

[19-495](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Consent to Assignment Agreement for the Development Agreement for the Right Move Subdivision Replat A, 1st Amendment Subdivision

Attachments: [a. Resolution](#)
[b. Consent To Assignment Agreement](#)

[19-486](#) A Resolution of the Board of Trustees of the Town of Erie Authorizing a Change Order No. 1 with Leonard Rice Engineers for the Water Supply Planning Project in the Amount of \$52,533.75

Attachments: [Resolution](#)
[Change Order](#)

[19-506](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Supplemental Agreement to Redevelopment Project Reimbursement Agreement Regarding 526 Briggs Street

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

[19-469](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Sixth Amendment to the Disposition and Development Agreement for the Nine Mile Project

Attachments: [Resolution](#)
[Nine-Mile Sixth Amendment to DDA](#)

[19-487](#) A Resolution of the Board of Trustees of the Town of Erie Authorizing the Filing of a Petition to Exclude Certain Properties from the Left Hand Water District and Confirming the Town's Ability and Intent to Provide Water

Services to those Properties upon Exclusion from the Left Hand Water District

Attachments: [Resolution](#)
[Letter to Landowners](#)

[19-496](#) Approval of September 24, 2019 Meeting Minutes

Attachments: [September 24, 2019 Draft Meeting Minutes](#)

V. PROCLAMATIONS AND PRESENTATIONS 7:10 PM

[19-483](#) Erie Municipal Airport Monthly Report - September 2019

Attachments: [Monthly Report](#)

[19-492](#) Community Planning Month Proclamation

Attachments: [Proclamation](#)

[19-466](#) Final Downtown Parking & Circulation Plan

Attachments: [Presentation](#)

VI. PUBLIC COMMENT 7:35 PM

Ray Schlott of 255 Meadow View Parkway, Erie, Colorado, gave public comment on Agenda Item No. 19-482.

Kyle Martz of 216 McAfee Circle, Erie, Colorado, gave public comment on Agenda Item No. 19-482.

Brandon Bell of 76 Piney Creek Lane, Erie, Colorado, gave public comment on police protection and staffing.

DeAndra Arndt of 828 LeHigh Circle, Erie, Colorado, gave public comment on police, activists, and First Amendment rights.

Tonya Olson of 685 Main Street, Erie, Colorado, gave public comment on the parking plan.

Mike Mangione of 425 Balcolm Street, Erie, Colorado, gave public comment on the parking plan and bridge recommendations.

Bob Grand of High Plains Library District gave public comment on funding from oil and gas.

Ben Whitehouse of 966 Reliance Drive, Erie, Colorado, gave public comment on funding from oil and gas and police protection.

Jan Jones of 5969 County Road 5, Erie, Colorado, gave public comment on the traffic and speed limit on County Road 5.

Jean Kisalke of 445 Channel Court, Erie, Colorado, gave public comment on the parking plan and bridge recommendations.

Bill Sebastian of 630 Gold Hill Drive, Erie, Colorado, gave public comment on the parking plan and bridge recommendations.

Oscar Cisneros of 622 Gold Hill Drive, Erie, Colorado, gave public comment on the parking plan and bridge recommendations.

VII. RESOLUTIONS 7:45 PM

19-482 An Ordinance of the Board of Trustees of the Town of Erie Amending Title 4 of the Erie Municipal Code by the Addition of a New Chapter 12, relating to Registration of Unit Owners' Associations

Attachments: [Ordinance](#)

Mayor Pro Tem Deakin moved to approve Agenda Item No. 19-482; the motion was seconded by Trustee Gippe. The motion carried with a four (4) for and three (3) against vote with Trustee Charles, Trustee Woog, and Trustee Haid voting no.

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

Nay: 3 - Trustee Charles, Trustee Woog, and Trustee Haid

19-460 A Resolution of the Board of Trustees of the Town of Erie Approving an Amendment to the Operating Agreement with Summit Energy Research, LLC to Plug and Abandon the Adam #1 Well

Attachments: [Resolution](#)

[Amendment to Operating Agreement](#)

[Plug and Abandon Proposal - Summit Energy Research](#)

[Aerial of Adams #1 Well Site](#)

[Aerial of Adams #1 Drip Station](#)

[Aerial of Adams #1 Flow Lines from Well Site to Drip Station](#)

Trustee Charles moved to approve Agenda Item No. 19-460; the motion was seconded by Trustee Woog. 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

19-470 A Resolution of the Board Of Trustees of the Town of Erie Approving an Agreement for Professional Services With Felsburg Holt & Ullevig For a Transportation Master Plan Amendment - Median Policy & Sustainability.

Attachments: Resolution

Professional Services Agreement

Mayor Pro Tem Deakin moved to approve Agenda Item No. 19-470; the motion was seconded by Trustee Gippe. 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

[19-472](#)

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving a Special Review Use for a Telecommunications Facility

Attachments: [a. Staff Report](#)
[b. Resolution](#)
[c. PC Resolution P19-25](#)
[d. Draft PC Minutes](#)
[e. Special Review Use/Site Plan Document](#)
[f. Application and Narrative](#)
[g. Review Comments](#)
[h. Other Applicant Materials](#)
[i. Notifications](#)
[j. Neighborhood Meeting Summary](#)
[k. Staff Presentation](#)
[l. Applicant Presentation](#)

Madam Mayor Carroll opened the public hearing for Agenda Item Nos. 19-472 and 19-473 at 9:23 pm.

Audem Gonzales, Planner, gave a staff presentation to the Board of Trustees.

Jackson Figgin, the applicant, presented to the Board of Trustees.

Mr. Figgin responded to Board questions regarding the coverage area, what the need was, and why this area was selected.

Mr. Gonzales responded to Board questions regarding the neighborhood meeting and who attended.

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

Madam Mayor Carroll closed the public comment portion of the public hearing at 9:40 pm.

Trustee Charles moved to approve Agenda Item No. 19-472; 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

[19-473](#)

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving a Site Plan Amendment for a Telecommunications Facility

Attachments: [a. Staff Report](#)
[b. Resolution](#)
[c. PC Resolution P19-26](#)
[d. Draft PC Minutes 9-18-2019](#)
[e. Special Review Use/Site Plan Document](#)
[f. Application and Narrative](#)
[g. Review Comments](#)
[h. Other Applicant Materials](#)
[i. Notifications](#)
[j. Neighborhood Meeting Summary](#)
[k. Staff Presentation](#)
[l. Applicant Presentation](#)

Trustee Charles moved to approve Agenda Item No. 19-473; 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

VIII. ORDINANCES 8:25 PM

[19-488](#)

PUBLIC HEARING:

An Ordinance of the Board of Trustees of the Town of Erie Amending Section 10.6.12.f.2 of the Erie Municipal Code, Regarding Flashing or Moving Signs

Attachments: [Ordinance](#)
[Planning Commission Minutes](#)
[Planning Commission Resolution No. P19-23](#)

Madam Mayor Carroll opened the public hearing for Agenda Item No. 19-488 at 9:41 pm

Fred Starr, Director of Planning & Development, presented to the Board of Trustees.

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

Mr. Starr responded to Board questions on why the code amendment is necessary, why a sign can only be changed every four hours, and if more code amendments related to signs could be anticipated.

Madam Mayor Carroll closed the public hearing 9:50 pm.

Trustee Charles moved to approve Agenda Item No. 19-488; 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

IX. STAFF REPORTS 8:35 PM

[19-471](#) Update on Oil and Gas Action Items

X. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 8:35 PM

Trustee Woog reported on the Homecoming Parade scheduled for Friday, October 11, 2019.

Trustee van Woudenberg requested that Town Staff provide an update on increasing the age limit for tobacco/vaping purchases and what the intended schedule was.

Trustee Haid reported that the Homecoming Parade starts at 6 pm. Trustee Haid also reported that he was starting to see the benefit of holding off on a bridge and looking into other solutions.

Mayor Pro Tem Deakin congratulated Echo Brewing for winning gold for their Junebug beer at the Great American Beer Festival.

Trustee Gippe reported on attending Miners Blast. Trustee Gippe thanked everyone involved in organizing the Miners Blast. Trustee Gippe voiced support for the Police Department. Trustee Gippe also asked that Town Staff continue look into options regarding age limits for purchasing vaping products.

XI. ADJOURNMENT 8:45 PM

Madam Mayor Carroll adjourned the October 8, 2019 regular Board of Trustees meeting at 9:56 pm.