



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### Board of Trustees

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Tuesday, March 10, 2020

7:45 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 7:45 PM IN THE BOARD ROOM

#### I. CALL MEETING TO ORDER 7:45 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

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda be approved. 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

#### IV. CONSENT AGENDA 7:50 PM

A motion to approve the Consent Agent

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

[20-069](#)

A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement with Kelly Enterprises, LTD For the Management of the 2020 Erie Farmer's Markets and Neighborhood Block Parties in the Amount of \$35,000

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

A motion was made by Trustee Woog that this Agenda Item be approved. 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

[20-101](#) Approval of February 25, 2020 Draft Meeting Minutes

**Attachments:** [MeetingMinutes 25 FEB, 2020](#)

[20-120](#) An Ordinance of the Board of Trustees of the Town of Erie Amending Section 2-10-4 of the Erie Municipal Code Regarding the Water Hydrant Meter Deposit

**Attachments:** [Ordinance](#)  
[Pictures](#)

[20-121](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Commitment to Fund a Portion of State Highway 52 Planning and Environmental Linkage (PEL) Study and Access Control Plan (ACP) in the Amount of \$28,000

**Attachments:** [Resolution](#)  
[SH52 CDOT Request](#)

[20-125](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Encroachment License Agreement with the High Plains Library District

**Attachments:** [Resolution](#)  
[Encroachment License Agreement](#)

[20-145](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Replacement of the Defender Filtration System at the Erie Community Center Indoor Pool in the Amount of \$189,060.00

**Attachments:** [Resolution](#)  
[CEM Defender Filtration Replacement Quote](#)

[20-151](#) A Resolution of the Board of Trustees of the Town of Erie Approving Change Order No. 2 to the Agreement with Leonard Rice Engineers for the Water Supply Planning Project in the Amount of \$50,000

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

**V. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA 8:10 PM**

Jenny Johnson, 897 Sundance Lane, Erie, Co for Kid's bike program.

**VI. GENERAL BUSINESS 8:00 PM**

[20-144](#) Arbor Day Proclamation

**Attachments:** [Proclamation](#)  
[Arbor Day Flyer](#)

**No action required for the Arbor Day Proclamation.**

[20-146](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the Erie Community Park - Final Phase Master Plan

**Attachments:** [Resolution](#)  
[Erie Community Park - Final Phase Master Plan Rendering](#)

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

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

**Nay:** 1 - Trustee Woog

[20-057](#) A Resolution of the Board of Trustees of the Town of Erie Approving Change Order No. 2 to the Agreement with RockSol Consulting Group for Construction Management for the Erie Parkway Bridge Project in the amount of \$30,000

**Attachments:** [Resolution](#)  
[Change Order 2](#)

**A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda Item be approved. 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

[20-024](#) An Ordinance of the Board of Trustees of the Town of Erie Consenting to the Applicability of the Boulder County Commercial Waste Hauler Licensing Ordinance within the Town and Amending Title 4 of the Erie Municipal Code Accordingly

**Attachments:** [Ordinance](#)  
[C.R.S. 2017 pages 193-194](#)  
[Sustainability Master Plan \(page 31\)](#)

**A motion was made by Trustee Gippe, seconded by Trustee Charles, that this Agenda Item be approved. The motion carried by 6-1**

**Nay:** 1 - Trustee Woog

[20-167](#) An Emergency Ordinance of The Board of Trustees of the Town of Erie Authorizing the Transfer of Real Property to the Town of Erie Urban Renewal Authority

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

**A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Charles, that this Agenda Item be approved. 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

[20-154](#)

A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement With Nine Mile Metropolitan District, Evergreen-287 & Arapahoe, LLC, Evergreen-287 & Arapahoe Apartments, LLC, Nine Mile Metropolitan District and the Town of Erie Urban Renewal Authority for the Nine Mile Corner Development

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

[Development Agreement](#)

**A motion was made by Mayor Pro Tem Deakin, seconded by Trustee van Woudenberg, that this Agenda Item be approved. 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

[20-148](#)

PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Approving with Conditions the Nine Mile Planned Development.

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

[PD Amendment No. 1](#)

[Staff Memo](#)

[Application Materials](#)

[Neighborhood Meeting](#)

[BOT Notice](#)

[3-4-2020 PC Meeting Minutes](#)

**A motion was made by Trustee Gippe, seconded by Trustee van Woudenberg, that this Agenda Item be amended. 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

[20-149](#)

PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving the Minor Subdivision Plat for the Nine Mile Development

**Attachments:** [Resolution](#)  
[Plat](#)  
[Staff Memo](#)  
[Application Materials](#)  
[Referral Comments](#)  
[Certificate of Notice to Mineral Estate Owner](#)  
[Neighborhood Meeting](#)  
[BOT Notice](#)  
[3-4-2020 PC Meeting Minutes](#)

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Woog, that this Agenda Item be approved. 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

[20-122](#) An Emergency Ordinance of the Board of Trustees of the Town of Erie, Colorado, Amending Title 10 Chapter 12 of the Unified Development Code by Adding Section 10.12.6, Existing Oil and Gas Operations

**Attachments:** [Ordinance - Emergency](#)  
[Ordinance - Non-emergency](#)

The first Ordinance Emergency was denied . The motion was defeated 4-3

The second motion was made by  
Mayor Pro Tem Deakin and Seconded by Trustee Von Woodenberg , T motion passed 5-2.

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

**Nay:** 2 - Trustee Charles, and Trustee Woog

## **VII. STAFF REPORTS 9:50 PM**

[20-143](#) Erie Municipal Airport Monthly Report - February 2020

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

## **VIII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 9:50 PM**

Mayor Pro Tem Deakin - Update on RTD  
Trustee Charles - Working on the Historic Preservation Master Plan, will present on March 24.  
Trustee Gippe ; Encouraged everyone to make sure they responded to the Census.  
Trustee Woog - There should be zero tolerance for dogs off leash.  
Trustee Von Woodenberg gave a report on the Tree board and the planned activities.

Mayor Carroll - reported on Covid-19 and the steps the town is taking to help stop the spread and keep us -safe.

**IX. EXECUTIVE SESSION 9:55 PM**

[20-087](#)

An executive session to hold a conference with the Town's Special Counsel to receive legal advice on specific legal questions regarding scope of authority, pursuant to C.R.S. § 24-6-402(4)(b) concerning oil and gas regulations.

**X. ADJOURNMENT 10:25 PM**