

TOWN OF ERIE  
BOARD OF TRUSTEES REGULAR MEETING 1  
Tuesday, February 11, 2014  
6:30 p.m.  
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

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I. CALL MEETING TO ORDER

Mayor Wilson called the February 11, 2014 Regular Meeting of the Board of Trustees to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call:           Trustee Carnival –present  
                  Trustee Gruber – present  
                  Mayor Pro Tem Grassi – present  
                  Trustee Moore – present  
                  Trustee Mahe - present  
                  Trustee Woog – present  
                  Mayor Wilson – present

III. APPROVAL OF THE AGENDA

Action: Trustee Moore moved to approve the February 11, 2014 Agenda with the amendment of moving item i. from IV. Consent to item b. VIII. Ordinances; the motion was seconded by Mayor Pro Tem Grassi. The motion carried with all present voting in favor thereof. Mayor Pro Tem Grassi moved to approve the February 11, 2014 Agenda as amended; the motion was seconded by Trustee Moore. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- a. Approval of the January 28, 2014 Meeting Minutes
- b. Resolution 14-27; A Resolution Awarding a Construction Contract for Arapahoe Ridge Drainage Improvements
- c. Resolution 14-28; A Resolution Approving the Purchase of 2014 Fleet Units
- d. Resolution 14-29; A Resolution Awarding a Construction Contract for Rebuilding Retaining Walls
- e. Resolution 14-31; A Resolution Awarding Service Contract for Open Space Herbicide Spraying
- f. Resolution 14-32; A Resolution Accepting Colorado Discretionary Aviation Grant in the Amount of \$300,000; And, Setting Forth Details in Relation Thereto.

**CONSENT AGENDA (continued)**

- g Ordinance 05-2014; An Ordinance Annexing the Andalusia Annexation to the Town of Erie, Colorado, Providing for the Effective Date of this Ordinance; Setting Forth Detail in Relation Thereto**
- h. Ordinance 06-2014; An Ordinance Zoning the Andalusia Annexation Providing for the Effective Date of this Ordinance; Setting Forth Details in Relation Thereto**

**Action: Mayor Pro Tem Grassi moved to approve the February 11, 2014 Consent Agenda. Trustee Woog seconded the motion. The motion carried with the following roll call vote:**

**Roll Call:**  
Trustee Carnival - Yes  
Trustee Gruber – Yes  
Trustee Mahe - Yes  
Mayor Pro Tem Grassi – Yes  
Trustee Moore – Yes  
Trustee Woog - Yes  
Mayor Wilson – Yes

**V. PUBLIC COMMENT**

**Mike Mazzocco**, 874 Quintana Lane, Erie, CO. spoke on behalf of the Keep Erie Safe Committee and urged the Board to vote in favor of the Ballot question for the construction of a new public safety facility.

**Ryan Melton** 1442 Weston Drive, Erie, CO. expressed questions regarding the Golden Run Development.

**Axel Bishop**, 513 Wilson, Lafayette, spoke in favor of the Golden Run Development.

**Scott Rodwin**, 1460 Quince Avenue, Boulder, CO. spoke in favor of the Golden Run Development.

**Angela Haracek**, 1450 Lombardi Street, Erie, CO. spoke in favor of the Golden Run Development.

**Jim Hoffmeyer**, 1168 Fletcher Drive, Erie, CO. spoke to the Board and offered suggestions on the Golden Run Development.

**Brendan Ruiz**, 1369 Padfield Place. Erie, CO. spoke in favor of the Golden Run Development.

**Jeff Martinez**, Olive Street, Denver, CO, provided an update of the management of the Vic Smith Housing project by Brothers.

**Louis Meskers**, 1933 Spruce Court, Erie, CO. spoke in favor of Golden Run Development.

**Christine Reid**, 829 Parkdale Place, Erie, CO. spoke against the Golden Run Development.

**Meredith Zuckerman**, 1346 Graham Circle, Erie, CO. spoke against the Golden Run Development.

**Bob Gonzales**, 4641 10<sup>th</sup> Street, Boulder, CO. spoke in favor of the Golden Run Development.

**Aaron Harber**, 2500 N. 119<sup>th</sup> Street, Lafayette, CO. spoke in favor of his development, Golden Run.

**VI. RESOLUTIONS**

**PUBLIC HEARING**

- a. Resolution 14-30; A Resolution Approving a Special Review Use for 105 ½ Briggs Street to Allow an Accessory Dwelling Unit.**

**Marty Ostholthoff, Director of Community Development** presented staff recommendations for the approval of Resolution 14-30. The applicant is requesting an ADU on a 7,500 square foot lot that has an existing residence located on the property. The ADU is proposed to be 504-square-feet in size and is proposed as a standalone ADU. The Special Review Use Application to allow an ADU at 105 ½ Briggs Street was reviewed

**RESOLUTIONS (continued)**

**PUBLIC HEARING**

for conformance with Erie Municipal Code, Title 10, Section 7.13.C. Notice of this Public Hearing has been published in the Colorado Weekly; the property posted as required and letters to Adjacent Property Owners were mailed. Staff supports the Special Review Use application for the Accessory Dwelling Unit at 105 ½ Briggs Street and recommends the Board of Trustees approve the application by adopting Resolution No. 14-30.

**Action:** Mayor Wilson opened the Public Hearing for Resolution 14-30 at 7:12 p.m. The applicant Andrea Welch answered questions from the Board of Trustees. Hearing no one wishing to make Public Comment; Mayor Wilson closed the public meeting at 7:21 p.m.

**Action:** Mayor Wilson moved to approve Resolution 14-30; the motion was seconded by Trustee Carnival. The motion carried with all present voting in favor thereof.

- b. Resolution 14-33; A Resolution Of The Town Of Erie, Colorado Repealing Resolution 14-26 Previously Adopted On January 28, 2014; Authorizing The Town Of Erie, Colorado, To Enter Into A New Golden Run Annexation Agreement; Authorizing And Directing The Appropriate Town Officers To Sign The New Golden Run Annexation Agreement; And, Setting Forth Details In Relation Thereto.

A.J. Krieger, Town Administrator, presented. The site is located at the northwest corner of Vista Parkway and County Line Road and is generally described as the North ½ of Section 25, Township 1 North, Range 69 West of the 6<sup>th</sup> Principle Meridian. The Resolution, provided for consideration by the Board of Trustees, accepts and authorizes the appropriate town official to sign a new Golden Run Annexation Agreement which outlines obligations of the Town and the Owners for the Golden Run property. Public notice is not required for the Board of Trustees to enter into an Annexation Agreement. Aaron Harber was present to answer questions from the Board of Trustees.

**Action:** Following Board discussion, Trustee Gruber moved to approve Resolution 14-33; the motion was seconded by Mayor Wilson.

**Action:** Following additional Board discussion, Trustee Moore motioned to move the previous question; the motion was seconded by Trustee Gruber. There was not vote on this motion.

**Action:** Mayor Wilson called for the vote on the original motion approving Resolution 14-33, the motion failed with a (6) six against and (1) one for vote, with Mayor Wilson voting yes.

**Action:** Mayor Wilson called for a break at 8:22 p.m. and reconvened the meeting at 8:42 p.m.

**VII. ORDINANCES**

- a. Ordinance 09-2014; An Ordinance Of The Town Of Erie, Colorado, Repealing And Re-Enacting Title 6, "Police And Traffic Regulations," Chapter 7, "Offenses Relating To Animals," Sections 6-7-3.A.2 And A.3,"Dogs,"Sections 6-7-4.B.1 And B.3, "Impoundment And Redemption Provisions," And, Section 6-7-7 "Cruelty To Animals," Of The Municipal Code Of The Town Of Erie, Repealing And Re-Enacting Title 2, "Finance And Revenue," Chapter 10, "Fee Schedule," Section 2-10-8"Miscellaneous Fees" Related To Dog License Fees, Of The Municipal Code Of The Town Of Erie; And, Setting Forth Details In Relation Thereto.

**ORDINANCES** (continued)

**Kristen Brown, Town Prosecutor** presented staff recommendations for the approval of Ordinance 09-2014. The proposed ordinance revises several provisions of the Erie Municipal Code related to animals. The ordinance amends §6-7-3 related to licensing requirements to allow the term of the town dog license to run concurrent with the rabies vaccination (currently each license runs the term of the calendar year, from Jan. 1 – Dec. 31). The term of the rabies vaccination, and also the dog license, is for one year or three years. The ordinance significantly modifies the code provisions related to cruelty to animals, allowing an officer to seize an animal from property where there is reasonable suspicion to believe the animal is being mistreated or neglected. The animal may be seized from inside of the residence only upon the issuance of a search warrant issued by the municipal court. Finally, the ordinance establishes a new fee schedule for licensing of dogs, to reflect a fee for a one year dog license and a three year license.

**Action:** This was the first reading of Ordinance 09-2014, it will be brought back for Board action at the February 25, 2014 Regular Meeting.

- b. Ordinance 08-2014; An Ordinance Of The Town Of Erie, Colorado, Amending Title 2, "Revenue And Finance," Chapter 10, "Fee Schedule," Section 6, "Building Inspection Fees," And Chapter 11, "Sales And Use Tax," Section 2, "Use Tax," Of The Erie Municipal Code; And, Setting Forth Details In Relation Thereto.

Mayor Wilson presented this agenda item.

**Action:** Following Board discussion Mayor Wilson moved to approve Ordinance 08-2014; the motion was seconded by Trustee Mahe. The motion carried with the following roll call vote:

**Roll Call:** Trustee Mahe-Yes  
Trustee Woog-Yes  
Trustee Moore-No  
Mayor Pro Tem Grassi-Yes  
Trustee Gruber-No  
Trustee Carnival-No  
Mayor Wilson-Yes

**VIII. GENERAL BUSINESS**

- a. Erie Efficiency Incentive

Mayor Wilson presented this item stating what this incentive programs does is allows members or employees of the city, if they see a place that we can save money for the tax payers. If they can save \$10K and bears out that it is 10K it gives them an incentive to do so and they would get \$1,000 the first year and the \$10,000 would keep coming back to the taxpayers.

**Action:** Mayor Wilson moved to direct staff to bring us back an efficiency incentive that incorporates much of what we said but of course it can be your own, at the next meeting. Motion was seconded by Trustee Carnival. The motion carried with a (5) five for and (2) two against with Trustees Moore and Gruber voting no.

**GENERAL BUSINESS (continued)**

**b. William Shatner's Moving America Forward**

Trustee Woog stated that he requested this item be put back on the agenda.

**Action:** Trustee Woog moved to proceed with the production of Moving America Forward Video contingent upon the EEDC participating at the \$2,000.00 level; the motion was seconded by Mayor Wilson.

**Action:** Following Board discussion Mayor Wilson called the vote for this motion. The motion failed with the following roll call vote:

**Roll Call:** Trustee Carnival – No  
Trustee Gruber – No  
Mayor Pro Tem Grassi – No  
Trustee Moore – No  
Trustee Woog – Yes  
Trustee Mahe – Yes  
Mayor Wilson – Yes

**c. Old Town Redevelopment Impact Fees**

Mayor Pro Tem Grassi asked staff what other type of fees the Town may be able to waive in Old Town to assist renovations. Mayor indicated we are looking for new buildings in Old Town and ways to incentivize them. Trustee Gruber indicated that the Board may have agreed to look at these projects on a case by case basis. The Town Administrator noted that the Town cannot waive Impact Fees, but that the URA may negotiate agreements.

**IX. BOARD OF TRUSTEES REPORTS**

Trustee Moore had questions about the expansion of the Vic Smith Housing Project. Trustee Moore thanked Wendy Watson for service to OSTAB and noted her resignation and that there is a current opening on the Board.

Mayor Pro Tem Grassi at the January 11, 2014 meeting asked the Board for input on the Consortium of Cities Legislative Agenda and moved that the Town support the Legislative Agenda as written; Mayor Pro Tem Grassi withdrew her motion. No action was taken on this motion until the Consortium of Cities addresses the current Urban Renewal Authority Legislation. Mayor Pro Tem reported that there is no URA legislation on the State level so Mayor Pro Tem Grassi asked the Board to reconsider support.

**Action:** Mayor Pro Tem Grassi moved motion that we support the consortium efforts on 4 items: 1) Support State funding mechanisms that enable local governments to complete recovery projects in a timely manner and that protect local government solvency. 2) Support state funding mechanisms to assist public and private entities in repairing or replacing water delivery infrastructure damaged or destroyed during a declared disaster. 3) Support legislation that enables counties to transfer general fund dollars to the road and bridge fund in declared disasters, and which clarifies that funds would not be subject to municipal share. 4) Telecommunications Reform; support legislation to re-establish the rights of Colorado Local Governments to provide telecommunication. The motion was seconded by Trustee Carnival; the motion carried with all present voting in favor thereof.

**BOARD OF TRUSTEES REPORTS (continued)**

Mayor Pro Tem also asked for an update on our Website redesign. Fred Diehl, Assistant to the Town Administrator noted that the updates were scheduled for June. In addition the Mayor Pro Tem asked for a new Comprehensive Plan Review. General Board consensus was in agreement with this request. **Mayor Wilson** reported on the upcoming Relay for Life event that is being held at the Erie Community Park and his recent meeting with the Metro Mayors Caucus.

**X. ADJOURNMENT**

**Action:** Trustee Moore moved to adjourn the February 11, 2014 regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Gruber. The motion carried with all present voting in favor thereof.

**Action:** Mayor Wilson adjourned the February 11, 2014 Regular Meeting of the Town of Erie Board of Trustees at 10:04 p.m.

Respectfully Submitted,



Nancy J. Parker, CMC, Town Clerk



  
Joseph A. Wilson, Mayor