

TOWN OF ERIE
BOARD OF TRUSTEES SPECIAL MEETING
Tuesday, November 18, 2014
6:00 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the November 18, 2014 Special Meeting of the Board of Trustees to order at 6:00 p.m.

II. ROLL CALL

Roll Call: Trustee Carroll – present
Mayor Pro Tem Gruber – present
Trustee Charles – present
Trustee Moore – present
Trustee Woog – present
Trustee Schutt – present
Mayor Harris – present

III. APPROVAL OF THE AGENDA

Action: Trustee Schutt moved to approve the November 18, 2014 agenda. The motion, seconded by Trustee Moore, carried with all voting in favor thereof.

IV. RESOLUTIONS

a. Resolution 14-132; A Resolution Awarding a GMP Contract for the Public Safety Facility

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 14-132. Since the bond was approved in April, staff has been working with the team and work has begun on the project. The Board approved a Resolution for a GMP (Guaranteed Maximum Price) in August to begin the site work. The project was bid in October and received over 60 bids for the different divisions. The team has a good price; they have reviewed the budget and find that it meets all their goals. Staff is requesting that the Board approve the Resolution and award the GMP Contract to Fransen Pittman in the amount of \$6,120,948.00.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-132. The motion, seconded by Trustee Moore, carried with the following Roll Call vote:

Trustee Carroll – Yes
Mayor Pro Tem Gruber – Yes

Trustee Charles – Yes
Trustee Moore – Yes
Trustee Woog – Yes
Trustee Schutt – Yes
Mayor Harris – Yes

b. Resolution 14-133; A Resolution Awarding a Contract for the Initial Phase of the Town Hall Remodel Project – Feasibility and Needs Assessment

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 14-133. In early 2014, the Town solicited Requests for Proposal's and interviewed four architectural firms. The first phase in the process is the Feasibility and Needs Assessment to understand the future needs/space utilization of the current Town Hall. This contract was awarded to Oz Architecture for \$27,000 for the initial phase. There will be future phases with design work as the project moves forward. Staff is requesting that the Board approve the Resolution and award the Consulting Contract to Oz Architecture for the Town Hall Needs Assessment and Programming Plan Stage of the Town Hall Remodel Project in the amount of \$24,590.00.

Action: Trustee Schutt moved to approve Resolution 14-133. The motion, seconded by Trustee Charles, carried with the following Roll Call vote:

Trustee Carroll – Yes
Mayor Pro Tem Gruber – Yes
Trustee Charles – Yes
Trustee Moore – Yes
Trustee Woog – Yes
Trustee Schutt – Yes
Mayor Harris – Yes

PUBLIC HEARING

c. Resolution 14-128; A Resolution Providing For The Supplemental Appropriation of Money to Various Funds in the Amounts and for the Purposes Set Forth Below for the Town of Erie, Colorado for the 2014 Budget Year

Action: Mayor Harris opened the Public Hearing for Resolution 14-128 at 6:41 p.m.

Steve Felten, Director of Finance presented Resolution 14-128; the supplemental appropriation of money to various funds for the 2014 budget year. This is the second of two supplemental appropriations during the course of the year. Most of the supplemental appropriation requests are items that have already been presented to, and approved by the Board; some are line item transfers and some of the requested appropriations are new. Staff is recommending approval of Resolution 14-128.

Action: Mayor Harris closed the Public Hearing for Resolution 14-128 at 6:53 p.m.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-128. The motion, seconded by Trustee Carroll, carried with the following Roll Call vote:

Trustee Carroll – Yes
Mayor Pro Tem Gruber – Yes
Trustee Charles – Yes
Trustee Moore – Yes
Trustee Woog – Yes
Trustee Schutt – Yes
Mayor Harris – Yes

PUBLIC HEARING

- d. **Resolution 14-129; A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Erie, Colorado for the Calendar Year Beginning the First Day of January, 2015 and Ending on the Last Day of December, 2015**

Action: Mayor Harris opened the Public Hearing for Resolution 14-129 at 6:53 p.m.

Steve Felten, Director of Finance presented Resolution 14-129 to the Board. This is the first of two resolutions being brought before the Board for approval relating to the 2015 budget. Resolution 14-129 formally adopts the 2015 budget and Resolution 14-130 appropriates those funds. Both of these steps are required by Ordinance and State Statute. Staff recommends that the Board approve Resolution 14-129 to adopt the 2015 budget.

Action: Trustee Schutt moved to approve Resolution 14-129. The motion, seconded by Mayor Pro Tem Gruber, carried with the following Roll Call vote:

Trustee Carroll – Yes
Mayor Pro Tem Gruber – Yes
Trustee Charles – Yes
Trustee Moore – No
Trustee Woog – Yes
Trustee Schutt – Yes
Mayor Harris – Yes

Action: Mayor Harris closed the Public Hearing for Resolution 14-129 at 7:45 p.m.

PUBLIC HEARING

- e. **Resolution 14-130; A Resolution Appropriating Sums of Money to the Various Funds in the Amounts and for the Purpose As Set Forth Below for the Town of Erie, Colorado for the 2015 Budget Year**

Action: Mayor Harris opened the Public Hearing for Resolution 14-130 at 7:45 p.m.

Action: Trustee Schutt moved to approve Resolution 14-130. The motion, seconded by Mayor Pro Tem Gruber, carried with the following Roll Call vote:

Trustee Carroll – Yes
Mayor Pro Tem Gruber – Yes
Trustee Charles – Yes
Trustee Moore – No
Trustee Woog – Yes
Trustee Schutt – Yes
Mayor Harris – Yes

Action: Mayor Harris closed the Public Hearing for Resolution 14-130 at 7:49 p.m.

PUBLIC HEARING

f. Resolution 14-131; A Resolution Establishing and Certifying the Property Taxes for the Town of Erie, Colorado in Weld and Boulder Counties for the Year 2015

Action: Mayor Harris opened the Public Hearing for Resolution 14-131 at 7:49 p.m.

Action: Mayor Pro Tem Gruber moved to continue Resolution 14-131 to the December 9, 2014 Regular Board of Trustees Meeting. The motion, seconded by Trustee Charles, carried with all voting in favor thereof.

V. EXECUTIVE SESSION

a. EXECUTIVE SESSION for a conference with the Town Attorney and Special Bond Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning participation in the MCDC initiative; for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically, to discuss negotiation of new Memorandums of Understanding with oil and gas companies; and, for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and 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; specifically, to discuss the Annual performance evaluation of Town Administrator AJ Krieger.

Action: Trustee Schutt moved to go into Executive Session for a conference with the Town Attorney and Special Bond Counsel for the purpose of receiving legal advice on

specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning participation in the MCDC initiative; for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S.

Section 24-6-402(4)(e); specifically, to discuss negotiation of new Memorandums of Understanding with oil and gas companies; and, for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and 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; specifically, to discuss the Annual performance evaluation of Town Administrator, AJ Krieger. The motion, seconded by Trustee Charles, carried with all voting in favor thereof.

Mayor Harris announced its Tuesday, November 18, 2014, and the time is 8:00 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Jennifer Carroll, Waylon Schutt, Dan Woog, Scott Charles; Town Administrator A.J. Krieger; Public Works Director Gary Behlen; Community Development Department Director Marty Ostholthoff; Special Bond Counsel Maria Harwood; and, Town Attorney Mark Shapiro.

This is an executive session for the following purpose:

For a conference with the Town Attorney and Special Bond Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning participation in the MCDC initiative; For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically, to discuss negotiation of new Memorandums of Understanding with oil and gas companies; and, for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and 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; specifically, to discuss the Annual performance evaluation of Town Administrator AJ Krieger.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 11:47 p.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris, Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Jennifer Carroll, Waylon Schutt, Dan Woog and Scott Charles; Town Administrator A.J. Krieger; Community Development Department Director Marty Ostholthoff; Town Attorney Mark Shapiro; Finance Director Steve Felten; and Assistant to the Town Administrator Fred Diehl.

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 improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is adjournment.

VI. ADJOURNMENT

Action: Trustee Moore moved to adjourn the November 18, 2014 Town of Erie Board of Trustees Special Meeting; the motion was seconded by Trustee Schutt. The motion carried with all voting unanimous in favor.

Action: Mayor Harris adjourned the November 18, 2014 Town of Erie Board of Trustee Special Meeting at 11:48 p.m.

Respectfully Submitted,


~~Melinda Helmer, CMC, Deputy Town Clerk~~
Nancy Parker,




Tina Harris, Mayor