

**TOWN OF ERIE**  
**BOARD OF TRUSTEES REGULAR MEETING 1**  
**Tuesday, June 24, 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 Harris called the June 24, 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 Kramer	Present
	Trustee Schutt	Present
	Mayor Pro Tem Gruber	Present
	Trustee Moore	Absent/Excused
	Trustee Charles	Present
	Trustee Woog	Present
	Mayor Harris	Present

**III. APPROVAL OF THE AGENDA**

Action: Trustee Kramer moved to approve the June 24, 2014 Agenda with the amendment of moving items d & e from the IV. Consent to VII. Resolutions; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

**IV. CONSENT AGENDA**

- a. Approval of the June 10, 2014 Meeting Minutes
- b. Ordinance 23-2014; An Ordinance of the Town of Erie, Annexing the Spallone No. 5 Annexation to the Town of Erie, Providing for the Effective Date of this Ordinance; and Setting Forth Details in Relation Thereto
- c. Ordinance 24-2014; An Ordinance of the Town of Erie; Approving the Initial Zoning of Spallone No 5 Annexation Public Lands and Institutions; and Setting Forth Details in Relation Thereto

Action: Trustee Charles moved to approve the June 24, 2014 Consent Agenda as amended; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

**V. PUBLIC COMMENT**

**Darrell E. Rankin**, 460 Pierce St., Erie, CO. provided an updated the Arts Coalition of Erie activities.

**Gary Wetzberger**, 1969 Seidler Court, Erie, CO. provided the Board with an update of the Arts Coalition of Erie activities.

**Jan Rice**, 4379 WCR 3, Erie, CO. provided the Board with an update of the Arts Coalition of Erie activities.

**Jim Hoffmeyer**, 1168, Fletcher Drive, Erie, CO. expressed issues of concern regarding Northridge Subdivision and Town connectivity.

**VI. PROCLAMATIONS AND PRESENTATIONS**

a. **Citizen Certificate of Appreciation – Presented to Kevin Moody by Marco Vasquez, Chief of Police** During the early morning hours of Friday, June 6, 2014, an adult male suspect unlawfully entered a vehicle belonging to Kevin Moody in the 300 Block of Briggs Street, in the Town of Erie, County of Weld. After entering the vehicle, the suspect began to rifle through Victim Kevin Moody's belongings. Kevin Moody heard his car door open so he headed outside to ascertain what was occurring. To his surprise, his car was being trespassed. Kevin contacted the male and tried to gain compliance. The male began to struggle and fight with Kevin as he tried to escape. Joseph Ciervo, a relative who was visiting a neighbor of Mr. Moody's, heard the commotion. While Mrs. Ciervo called 911, Joseph ran to assist Mr. Moody with the suspect. Together, Kevin and Joseph were able to detain and subdue the suspect until officers from the Erie Police Department arrived on scene. The adult male was taken into custody and transported to the Weld County Jail. Thanks to Kevin and Joseph's quick thinking and tenacity, a felony vehicle trespass suspect was apprehended. Mr. Moody and Mr. Ciervo's actions and willingness to become involved are to be commended by the Erie Police Department and the Town of Erie.

b. **National Parks and Recreation Month**

**Farrell Buller, Director of Parks and Recreation** presented this agenda item. Since 1985, the National Recreation and Parks Association has designated the month of July as National Parks & Recreation Month. Parks and Recreation agencies across the country will utilize this acknowledgement as a time to pull their communities together, get involved in great outdoor activities, and advocate for parks and recreation. The 2014 theme for National Parks and Recreation month OUT is IN. The goal is to focus on setting trends instead of following them, making 2014 the year people go outside, change their outlook, and get involved in their community through parks and recreation. This year, we will be creating awareness through the creation of a town wide scavenger hunt. This would entail participants finding various landmarks around Erie. Participants will then take a picture of them at that location and receive prizes from the Erie Community Center. In addition to the scavenger hunt, we have created a July calendar with Parks & Recreation loaded with activities, and will be offering "mystery" thank you to citizens caught in the act of participant in parks and recreation activities. We look forward to serving Erie residents and visitors in July as we inspire our community to create many memorable recreation experiences. As part of a nationwide campaign to enhance awareness of the value of parks and recreation, we request that the Mayor formally proclaim July 2014 as "Parks & Recreation Month" in the Town of Erie.

**VII. RESOLUTIONS**

**a. Resolution 14-72; A Resolution Awarding an Owners Representative Contract for the Erie Police Facility**

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 14-72. During the April 1, 2014 Town of Erie Regular Municipal Election, voters approved funding for the construction of a new police station and municipal court building to improve the safety of the growing community and to replace the outdated workspace for the police and courts currently located at Town Hall. Work on the police station and municipal court building has been in progress since 2011; the Board of Trustees awarded the design contract to Roth Sheppard Architects and approved the purchase of vacant land for the future facility site. Once the police station and municipal court building is completed, the Town Hall remodel will begin. The Town Hall Remodel project is a new project that will consist of evaluating our current space and current staff, then remodel the building to accommodate both current staff while considering future growth. The Police Station and Town Hall Remodel projects are complex, important projects for the Town of Erie requiring extraordinary attention to detail. To meet the demands of the projects, it is staff's recommendation to hire an owner's representative for these two projects. An Invitation to Submit Qualifications from Consultants to act as an Owner Representative was posted on April 21, 2014. Proposals were due to the Town on May 12, 2014, seven proposals were received. After staff reviewed the proposal four firms were shortlisted and invited to interview with a committee of staff members. After the interviews staff collectively agreed that the best firm to represent the Town throughout these two projects was Consilium Partners. Consilium Partners has worked on several municipal projects, including the construction phase of police station and remodeling of existing occupied buildings. They have worked for the Town of Vail, City of Brighton, Boulder, Westminster and Arvada. Consilium Partners has been in business for 6 years, and are a Division of NV5 a national engineering firm.

**Action: Mayor Pro tem Gruber moved to approve Resolution 14-72; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:**

<b>Roll Call:</b>	<b>Mayor Pro Tem Gruber</b>	<b>Yes</b>
	<b>Trustee Schutt</b>	<b>Yes</b>
	<b>Trustee Kramer</b>	<b>Yes</b>
	<b>Trustee Woog</b>	<b>Yes</b>
	<b>Trustee Charles</b>	<b>Yes</b>
	<b>Mayor Harris</b>	<b>Yes</b>

**b. Resolution 14-76; A Resolution Authorizing The Town Of Erie, Colorado, To Enter Into A Purchase And Sale Agreement For The Purchase Of A 1.63 Acre Parcel Of Real Property Located In The Vicinity Of East County Line Road And Colorado Highway 7, Erie, Colorado; Authorizing And Directing The Appropriate Town Officers To Sign Said Agreement; And, Setting Forth Details In Relation Thereto.**

**RESOLUTIONS (continued)**

**Farrell Buller, Director of Parks and Recreation** presented staff recommendations for the approval of Resolution 14-76. Per previous direction of the Board of Trustees and the Open Space and Trails Advisory Board (OSTAB), the Town recently concluded negotiations with the owner of the real property described as a 1.63 acre parcel of land located in the vicinity of Ease County Line Road and Colorado Highway 7, Erie, Colorado for potential acquisition of the real property for open space purposes. The purchase price for the 1.63 acre parcel is \$80,295.57. This price was determined to be within an acceptable range relative to comparable land sales in eastern Boulder County and southwest Weld County. Approval of the attached Purchase and Sale Agreement will allow the Town to proceed with environmental and other due diligence investigations. The purchase will proceed only if the Town's investigations are satisfactory.

- c. Resolution 14-77; A Resolution Authorizing The Town Of Erie, Colorado, To Enter Into A Purchase And Sale Agreement For The Purchase Of A 2.43 Acre Parcel Of Real Property Located In The Vicinity Of East County Line Road And Colorado Highway 7, Erie, Colorado; Authorizing And Directing The Appropriate Town Officers To Sign Said Agreement; And, Setting Forth Details In Relation Thereto.**

**Farrell Buller, Director of Parks and Recreation** presented staff recommendations for the approval of Resolution 14-77. Per previous direction of the Board of Trustees and the Open Space and Trails Advisory Board (OST AB), the Town recently concluded negotiations with the owner of the real property described as a 2.43 acre parcel of land located in the vicinity of Ease County Line Road and Colorado Highway 7, Erie, Colorado for potential acquisition of the real property for open space purposes. The purchase price for the 2.43 acre parcel is \$119,704.43. This price was determined to be within an acceptable range relative to comparable land sales in eastern Boulder County and southwest Weld County. Approval of the attached Purchase and Sale Agreement will allow the Town to proceed with environmental and other due diligence investigations. The purchase will proceed only if the Town's investigations are satisfactory.

**Action: Mayor Pro Tem Gruber moved to approve Resolution 14-76; the motion was seconded by Trustee Schutt. The motion carried with the following roll call vote:**

<b>Roll Call:</b>	<b>Mayor Pro Tem Gruber</b>	<b>Yes</b>
	<b>Trustee Schutt</b>	<b>Yes</b>
	<b>Trustee Kramer</b>	<b>No</b>
	<b>Trustee Woog</b>	<b>No</b>
	<b>Trustee Charles</b>	<b>Yes</b>
	<b>Mayor Harris</b>	<b>Yes</b>

**Action: Trustee Schutt moved to approve Resolution 14-77; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with the following roll call vote:**

<b>Roll Call:</b>	<b>Trustee Charles</b>	<b>Yes</b>
	<b>Trustee Woog</b>	<b>No</b>
	<b>Mayor Pro Tem Gruber</b>	<b>Yes</b>
	<b>Trustee Kramer</b>	<b>No</b>
	<b>Trustee Schutt</b>	<b>Yes</b>
	<b>Mayor Harris</b>	<b>Yes</b>

## **VIII. ORDINANCES**

- a. **Ordinance 25-2014; An Ordinance Of The Town Of Erie, Colorado, Amending Title 6, "Police And Traffic Regulations," Chapter 8, "Offenses Relating To Government," Of The Municipal Code Of The Town Of Erie, Colorado To Add New Code Provisions; And, Setting Forth Details In Relation Thereto.**

**Kristen Brown, Town Prosecutor** presented staff recommendations for the approval of Ordinance 25-2014. The proposed ordinance enacts several provisions related to government operations: disrupting lawful assembly; fail to obey lawful order; threatening public official, town employee; public buildings – trespass, interference. The language of such provisions mirrors state statutory provisions, where appropriate.

**Action:** Trustee Gruber asked that in Ordinance 25-2014 section 6-8-10 "verbal utterance "be changed to either vocal or oral utterance; in addition would like to change the language in 6-8-11 that the form of identification be a "Town of Erie" badge be included in the wording and in section 6-8-13 section A amend himself to himself/herself. This was the first reading of Ordinance 25-2014 and it will be brought back for Board action at the July 8, 2014 meeting.

- b. **Ordinance 26-2014; An Ordinance Of The Town Of Erie, Colorado, Amending Specific Portions Of Title 6, "Police And Traffic Regulations," Of The Municipal Code Of The Town Of Erie, Colorado; And, Setting Forth Details In Relation Thereto.**

**Kristen Brown, Town Prosecutor** presented staff recommendations for the approval of Ordinance 26-2014. The proposed ordinance relates to several provisions of the Erie Municipal Code. In Sec. 6-10-8, the definition of "tobacco products" is revised to add electronic cigarettes (consistent with state statute). Sec. 6-4-7, "throwing missiles" is amended to make it unlawful to knowingly throw any missile (object) at or against a bicyclist (consistent with state statute). Sec. 6-5-2, "indecent exposure" is repealed (under state statute this violation is a class one misdemeanor; second offense is a class six felony – both of which should be prosecuted in the county court, not municipal court). Finally, Sec. 6-6-12 is enacted to address the problem of people throwing trash in the trash dumpsters of private businesses. Business owners have complained to the PD about continued unauthorized dumping in their private dumpsters.

**Action:** Ms. Brown will make changes to make the wording to be consistent with the State Statutes. This was the first reading of Ordinance 26-2014 and it will be brought back for Board action at the July 8, 2014 meeting.

**IX. BOARD OF TRUSTEES REPORTS & APPOINTMENTS**

**Mayor Pro Tem Gruber** asked for clarification that the construction area around the Coal Creek Trail Corridor would be restored. Gary Behlen stated that the contractor will reseed and restore the area.

**Trustee Kramer** asked to staff to look into flooding on trail north of County Line Road and South of Balcom.

**Trustee Schutt** reported on a recent Erie Economic Development Council Meeting.

**Trustee Woog** asked if the Town Prosecutor and Town Attorney were on an hourly rate and asked if the Town would save money if the Prosecutor were allowed to present earlier in the meeting. Staff will look into doing this.

**Trustee Charles** noted that the work on County Line Road at Arapahoe was completed. Trustee Charles also noted that he felt that the recent CML Conference was very beneficial.

Mayor Harris reported that the Erie Police were still investigating the recent arson incident at Black Rock Elementary School and if anyone had any information on this to contact the Erie Police.

Tomorrow is Bike to Work Day; the Colorado National Golf Club Fireworks are July 3<sup>rd</sup>.

**X. ADJOURNMENT**

**Action:** Trustee Kramer moved to adjourn the June 24, 2014 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

**Action:** Mayor Harris adjourned the June 24, 2014 Regular Meeting of the Town of Erie Board of Trustees at 8:54 p.m.

Respectfully Submitted,

  
Nancy J. Parker, CMC, Town Clerk



  
Tina Harris, Mayor