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## INTEROFFICE MEMORANDUM

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**TO:** Deb Pearson, Community Development Director, Gary Behlen, Public Works Director  
Molly Kostelecky, Finance Director, Terry Andrews, Town Clerk

**FROM:** Mike Acimovic, Town Administrator 

**SUBJECT:** Board of Trustees' Maintenance Policy for Tot Lots, Neighborhood Parks and Land  
Adjacent to Arterial Streets.

**DATE:** December 5, 2005

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At the Board of Trustees meeting on November 8, 2005, (meeting minutes attached) the Board adopted policies for maintenance of tot lots, neighborhood parks, and land adjacent to arterial streets, and directed staff to inform the appropriate HOAs and Metro Districts as follows:

**TOT LOTS:** Park type areas located within neighborhoods and planned based on the use of about 80 homes. The Town currently maintains only two tot lots, all the rest are maintained by the HOAs and Metro Districts.

- **Policy:** The Town will not maintain any tot-lots, as of November 8, 2005 (See Grace Period).
  - Staff is directed to reflect the Town's reduced maintenance cost in the annual budget projection as applicable each year until January 1, 2009 and thereafter.
  - Staff is directed to address a way for future tot lot properties to be owned by HOAs and Metro Districts, and public easements granted for tot lot use by the general public. Consensus of the Board is to have the planning documents address the ownership of tot lot properties. Staff will ask how other Towns deal with tot lot ownership/maintenance issues.

**NEIGHBORHOOD PARKS:** Parks larger than about 7 acres and less than about 30 acres. The Town currently programs activities and maintains all but two neighborhood parks.

- **Policy:** The Town will provide maintenance in Neighborhood Parks when the Town begins programming Town recreation activities in them.

**MAINTENANCE OF ARTERIALS:** This includes Arapahoe Road, 111<sup>th</sup>, Leon A. Wurl Parkway, County Line Road 1 and Vista Ridge Parkway.

- **Policy:** The Town will not assume maintenance of arterial streets or right-of-ways adjacent to commercial, residential or non municipal public property. It is the Town's intent to minimize or eliminate maintenance of right-of-ways in these areas (See Grace Period).
  - Staff is directed to reflect the Town's reduced maintenance cost in the annual budget projection as applicable each year until January 1, 2009 and thereafter.
  - Staff is directed to ensure that future development agreements be monitored to address arterial areas, including water rates, responsibility and type of landscaping materials, as well as finding non-potable water resources for irrigation purposes.

**GRACE PERIOD:** The Board of Trustees initiated a grace period so that an HOA and/or Metro District could adjust its annual budgets, to include any additional maintenance requirement.

- **Policy:** The Town will give all maintenance responsibility for tot lots and arterials that the Town currently maintains, back to the appropriate HOAs or Metro Districts, in 4-years and no later than the budget year beginning January 1, 2009.

**TOWN OF ERIE**  
**BOARD OF TRUSTEES REGULAR MEETING**  
Tuesday, November 8, 2005  
7:00 p.m.  
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

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**STUDY SESSION 6:30 P.M. COMMUNITY ROOM**

**I. CALL MEETING TO ORDER**

Mayor Moore called the November 8, 2005 Regular Meeting of the Board of Trustees to order at 7:00 p.m.

**II. PLEDGE OF ALLEGIANCE AND ROLL CALL**

Trustee Van Lone-present  
Trustee Callahan-present  
Trustee Klein-present  
Trustee Pink-present  
Trustee McCallum-present  
Trustee Massarotti-present  
Mayor Moore-present

**III. APPROVAL OF THE AGENDA**

Trustee McCallum moved to approve the Agenda as posted. The motion, seconded by Trustee Callahan, carried with all voting in favor thereof.

**IV. CONSENT AGENDA (The consent agenda is intended to contain items that are prepared to be decided without discussion. Any Board member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under XI. General Business, a. in the order they appear on the Agenda.) (This should be done prior to the motion to approve.)**

- a. Approval of the October 25, 2005 Regular Meeting Minutes.
- b. Resolution 05-107: concerning Award of Contract for Water/Wastewater Master Plan Update.
- c. Resolution 05-108: concerning the BRETSA Agreement.
- d. Resolution 109: concerning Video Inspection of Sewer System.
- e. Resolution 110: concerning Video Inspection of Storm System.
- f. Resolution 111: concerning Investment Advisor Services RFP.
- g. Resolution 112: concerning Investment Custodial Services RFP.

Trustee Van Lone moved to approve the November 8, 2005 Regular Meeting Consent Agenda as read into the record. The motion, seconded by Trustee Callahan, carried with all voting in favor thereof.

Trustee Van Lone-yes  
Trustee Callahan-yes  
Trustee Klein-yes  
Trustee Pink-yes  
Trustee McCallum-yes  
Trustee Massarotti-yes  
Mayor Moore-yes

**V. PROCLAMATIONS/PRESENTATIONS (This agenda item is intended to contain Proclamations, Special Citations Awards and Presentations to the Board that do not require any Board action.)**

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- a) Diana Walley, 3287 McClure Drive, Arapahoe Ridge Homeowners Association. Disappointed that the parks will not be maintained in the same fashion they are now.
- b) Brad Beck, 1277 St. John, Erie Village HOA President. Would like to see uniform policy for parks and tot lots maintenance.
- c) Lisa Jacoby 2750 Vista Ridge Parkway, Representative of the Development and the HOA, Tot Lot in Vista Ridge will be maintained by the HOA.

Trustee McCallum explained that this makes sense for two reasons: 1) It would be Cost prohibitive to the Town to maintain approximately 200 future tot lot areas and smaller greenbelts and landscape areas adjacent to a street (not arterials). 2) HOA can set their own level of service.

**Vote on Motion:** Mayor Moore asked for a vote. The motion carried with all voting in favor thereof.

**Direction to Staff :** In the future tot lot properties could be owned by the HOA, and access easements could be granted for use by the general public. Consensus of the Board would be to have the Planning documents address the ownership of Tot Lot properties. Staff will ask how other Towns deal with issues.

2) **NEIGHBORHOOD PARKS:**

- Parks Larger than about 7 acres, less than about 30 acres.
- The Town currently maintains all but two Neighborhood Parks.

**Motion:** Trustee Van Lone moved that the Town provide maintenance in Neighborhood Parks when the Town begins programming Town recreation activities programs in them. The motion, seconded by Trustee McCallum, carried with all voting in favor thereof.

- a) Lisa Jacoby 2750 Vista Ridge Parkway, Representative of the Development and the HOA, expressed concern regarding 2 year warranty period vs. programming. Decision of the Board was to use programming as the maintenance criteria and not address the warranty period.

3) **MAINTENANCE OF ARTERIALS:**

- Including Arapahoe Road; 111<sup>th</sup>, Leon A. Wurl Parkway, County Line Road and Vista Ridge Parkway

- a) Diana Walley, 3287 McClure Drive, Arapahoe Ridge Homeowners Association. Having the Town turn over the responsibilities to the HOA could double the cost for landscaping. The HOA sets the rate of thier dues based on the Town. HOAs may not have the budget to maintain these facilities in the same manner.

Mayor Moore called for a break at 8:25 p.m. The Meeting reconvened at 8:32 p.m.

**Motion:** Trustee Massarotti moved that the policy would state "the Town will not assume maintenance of arterials or right of ways adjacent to of commercial, residential or non municipal public property. It is the Towns intent to minimize or eliminate maintenance of right of ways in these areas." The motion, seconded by Trustee Callahan, carried with all voting in favor thereof.

4) **WATERING AND ASSOCIATED COSTS OF ARTERIALS:**

- Leon Wurl Parkway.
- HOAs are currently being charged commercial rates. Town is also charged commercial rates.

- ii. UDC-modules 1 and 2 have been completed in draft form. Module 3 is taking longer. November 28, 2005 will be the UDC Committee meeting. December 19, 2005 is the anticipated public hearing in front of the Board.

c. Molly Kostelecky, Finance Director

- i. Introduced Glenn Scott, Financial Advisor. Staff along with Mr. Scott will be bringing an investment policy back to the Board soon.

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS (This agenda item is for all Board of Trustees reports, Board & Commission Appointment, and items of information as well as Board discussion items, not listed on the agenda.)

a. BOT Reports

i. Trustee Van Lone:

- 1. Announced that the newly elected St. Vrain School District Board Representative for District D was his wife, Dori Van Lone.

ii. Trustee McCallum

- 1. Erie Economic Development Committee was glad to hear the Town is moving forward with an economic development plan in 2006. The EEDC would like to let the Board know they are available to the Town in this process. Would like to have a joint meeting.

iii. Trustee Pink:

- 1. DRCOG awards in April: Would like to see the Town apply for a DRCOG award. Coal Creek corridor could be eligible for the "Public/Private Endeavor". Trustee McCallum asked for the Board to get a list from of the specific awards to see what other Town Projects might be eligible for recognition.

iv. Trustee Klein:

- 1. There has been Methane gas release in the vicinity of the Denver Regional Landfill. Staff needs to keep the Board updated. The State and County currently keep the Town notified on all landfill inspections.

v. Mayor Moore:

- 1. Discussion regarding commercial development.
- 2. 2A passed for the Library Measure.
- 3. Concern regarding Pit Bulls and/or vicious dogs and whether or not the Town can pass a law prohibiting Pit Bulls within the Town of Erie. The Town was advised by the Town Attorney, that because we are a statutory Town we are unable to pass breed specific legislation.

XIII. ADJOURNMENT

Mayor Moore adjourned the November 8, 2005 meeting of the Board of Trustees at 9:55 p.m.

Respectfully Submitted,

*Teresa G. Andrews*

Teresa G. Andrews, Town Clerk

*Andrew J. Moore*

Andrew J. Moore, Mayor

