

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING 1
Tuesday, March 10, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the March 10, 2015 Regular Meeting of the Board of Trustees to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

III. APPROVAL OF THE AGENDA

Action: Trustee Charles moved to approve the March 10, 2015 agenda; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- a. Approval of the February 24, 2015 Meeting Minutes
- b. Approval of the March 3, 2015 Special Meeting Minutes

Action: Trustee Moore was absent from the February 24, 2015 meeting but had reviewed the minutes and was comfortable with voting on the Consent Agenda. Trustee Moore moved to approve the March 10, 2015 Consent Agenda; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

V. PUBLIC COMMENT

Michael Rosseau, 607 W. Lucerne Drive, Lafayette, CO., expressed concerns regarding the Nelson Kuhl Annexation and Zoning.

VI. PROCLAMATIONS & PRESENTATIONS

- a. **Historic Preservation Board – Request for Local Landmark Designation for Lincoln School (Town Hall)**

David Snow of the Erie Historic Preservation Board, requested the Board consider approving Local Historic Designation for 645 Holbrook, Street, the site of Town Hall which was originally the Lincoln School built in 1907.

VII. RESOLUTIONS

- a. **Resolution 15-36; A Resolution Awarding a Construction Contract for Channel, Irrigation Ditch & W.Q. Restoration Project**

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 15-36. The Storm Drainage Operating Capital Improvement Budget includes funds for Drainage Channel Maintenance. Three areas have been identified that are in need of improvements. Two areas are within the drainage channel south of the railroad tracks, one just west of Briggs Street and the other in the water quality pond just prior to the channel entering Coal Creek. The third section is within the Leyner Cottonwood Ditch that is jeopardizing a residential fence. An Invitation to bid was posted on the Town's website on February 6, 2015 to ensure that local contractors were notified about this project. No Erie contractors submitted bids. A pre-bid meeting was held on February 12, 2015 and bids were received on February 27, 2015: The low bidder was Dave's Earthworks, Inc. They first opened their office in Colorado in 2007. Communities Dave's Earthworks, Inc. has recently worked in include: Thornton, Commerce City, Brighton, Arvada and Westminster. Staff has reviewed the bids, contacted several references of Dave's Earthworks, Inc. for similar projects and found Dave's Earthworks, Inc. to be acceptable. Staff is recommending awarding the construction contract for the Channel, Irrigation Ditch & Water Quality Pond Restoration Project to Dave's Earthworks, Inc. in the amount of \$103,032.81. This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Action: Trustee Schutt moved to approve Resolution 15-36; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:

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

RESOLUTIONS (continued)

b. Resolution 15-37; A Resolution Awarding a Street Signage Supplies Contract

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 15-37. The 2015 General Fund Streets Operating Budget includes funds for purchase of street signage and supplies. Due to the nature of this type of contract, staff prepared the bid which included a list of the most frequently ordered signs (i.e. stop sign, street name signs, warning signs) and the bidders were asked to submit a per unit cost. This does not include any materials such as posts and associated hardware. An Invitation to Bid was sent out and posted on the Town's website on January 28, 2015 and bids were received back on February 17, 2015. Vulcan Signs was the low bidder and is a nationwide supply company based in Foley, Alabama. They have provided this service to various municipalities including City of Nashville/Davidson County, Tennessee; City of Garland, Texas; State of Arkansas; Orange County, Orlando Florida, and City of Brownsville, Brownsville, Texas. There were no Erie bidders for this project. Staff recommends award of supplies service contract to Vulcan Signs. This contract allows for an up to two additional years renewal options providing the prices do not increase more than 2%. This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Action: Trustee Moore moved to approve Resolution 15-37; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with the following roll call vote:

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

c. Resolution 15-38; A Resolution Awarding a Concrete Services Contract

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 15-38. The 2015 General Fund Streets Capital Budget includes funds for repair services to concrete throughout the Town. The Public Works Department is responsible for maintenance of concrete throughout the Town, including curb, gutter and sidewalk. The Bid Form includes estimated quantities of needed repairs using 2014 information. There may be additional work requested from the awarded Contractor outside of the Bid Form. The Town intends to issue to the successful bidder an on-going maintenance Agreement for Services, along with "emergency repairs" as needed, for 2015, with the option to extend the Agreement for two (2) additional one (1) year periods. All work considered an "emergency repair" shall be completed within an agreed upon time period of notification. Due to the nature of these services, quantities from 2014 were used in the bidding process. This will be adjusted as actual areas are identified later this spring with a quantity resolution. An Invitation to Bid was sent out and posted on the Town's website on January 30, 2015. R White Construction, LLC was the low bidder and is located in Nunn, Colorado and only does work for Federal and local government agencies such as: Longmont, Golden, Nunn, Conifer, Fort Collins, etc. There were no Erie bidders for this service. Staff recommends award of service contract to R White Construction, LLC. This contract allows for an up to two additional years renewal options providing the prices do not increase more than 2%. This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

RESOLUTIONS (continued)

Action: Trustee Charles moved to approve Resolution 15-38; the motion was seconded by Trustee Moore. The motion carried with the following roll call vote:

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

d. Resolution 15-39; A Resolution Awarding a Design Contract for Non-Potable Water System Improvements

Gary Behlen, Director of Public Works presented staff recommendations for the approval of Resolution 15-39. The 2015 Capital Budget includes funds to design and construct improvements to the Town's non-potable water system. One component of these improvements is to design and construct improvements to enable the existing reuse/non-potable pump station at the Town's North Water Reclamation Facility and reuse/non-potable waterline to provide non-potable water for irrigation of parks, open space and right-of-ways in two pressure zones. The initial phase will provide non-potable water to:

- Colliers Hill
- Coal Creek Park
- Reliance Park
- Existing irrigation pond that serves the Erie Community Park

A Request for Proposal was posted on the Town's website on January 14, 2015 to ensure that local consultants were notified about this project. Staff reviewed 5 proposals. Staff is recommending awarding McLaughlin Water Engineers, a Division of Merrick & Company, this project based on their qualifications, approach to the project, and design cost. McLaughlin Water Engineers has experience with this type of project design and successfully completed the Town's Potable Water Master Plan Update. Remaining funds will be used in the construction of the project, and the extension of the existing non-potable waterline. The Town is currently working with the deployment of Colliers Hill to extend the non-potable line to Colliers Hill and south to Erie Parkway. Both projects will be presented to the Board later in the year. This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Action: Trustee Schutt moved to approve Resolution 15-39; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:

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

RESOLUTIONS (continued)

- e. **Resolution 15-35; A Resolution Authorizing The Engagement Of Sullivan Green Seavy, LLC For Legal Services For The Purpose Of Receiving Legal Services For Negotiating Memorandums Of Understanding With Oil And Gas Operators And Potential Erie Municipal Code Amendments**

John Sullivan of Sullivan Green Seavy, LLC was present and answered questions from the Board of Trustees regarding this agenda issue.

Action: Mayor Pro tem Gruber moved to approve Resolution 15-35; the motion was seconded by Trustee Carroll. The motion carried with the following roll call vote:

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

VIII. ORDINANCES

- a. **Ordinance 05-2015; An Ordinance Annexing the Nelson-Kuhl Annexation, to the Town of Erie, Colorado, Providing for the Effective Date of this Ordinance; Setting Forth Detail in Relation Thereto**

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Ordinance 05-2015. The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code. On January 27, 2015 the Board of Trustees held a Substantial Compliance hearing on the Nelson-Kuhl Annexation Petition and established February 24, 2015 as the Public Hearing date for adopting Findings of Fact in favor of the proposed annexation. Staff finds the application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code. The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly on January 14, 2015, January 21, 2015, January 28, 2015 and February 4, 2015. In addition, The Nelson-Kuhl Annexation Impact Report was filed with appropriate authorities in compliance with C.R.S 31-12-108.5. Staff recommends approval of Ordinance 05-2015; an Ordinance Annexing the Nelson-Kuhl property to the Town of Erie.

Action: Mayor Pro Tem Gruber moved to approve Ordinance 05-2015; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

ORDINANCES (continued)

- b. **Ordinance 06-2015; An Ordinance Zoning the Nelson-Kuhl Annexation; Providing for the Effective Date of this Ordinance; Setting Forth Details in Relation Thereto**

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Ordinance 06-2015. The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code. Concurrent with the processing of the annexation application the Town is required to grant an initial zoning of the annexed property. The applicant has requested that the initial zoning of the property be CC-Community Commercial. Staff finds the application is consistent with the approval criteria of Section 7.4, Initial Zoning, of the Town of Erie Municipal Code. Notice of this Public Hearing has been published in the Colorado Hometown Weekly on February 4, 2015, Property Posted as required on February 9, 2015 and letters to Adjacent Property Owners were sent on February 6, 2015. Staff recommends approval of Ordinance 06-2015; an Ordinance Zoning the Nelson-Kuhl property to CC-Community Commercial.

Action: Trustee Schutt moved to approve Ordinance 06-2015; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

IX. GENERAL BUSINESS

- a. **Retail Marijuana Businesses Question on 2015 Citizen Survey**

Damema Mann, Senior Project Manager for National Research Center, Inc., discussed questions for the upcoming Citizens Survey regarding Retail Marijuana Businesses in Erie.

X. BOARD OF TRUSTEES REPORTS

Trustee Charles asked for staff to prepare a Resolution designating 645 Holbrook, the Lincoln School as a local historic landmark.

Trustee Moore was given an update on the progress of the new Public Safety Building.

Trustee Schutt provided the Board of Trustees with an update on the Erie Economic Development Council activities.

Trustee Woog asked that a discussion on receiving emails during Board meetings and use of Social Media be a topic at the April Board Retreat.

Mayor Harris had questions regarding the Asphalt Specialties location in Weld County and a date when EnCana will have a meeting regarding the Pratt Well Site. The Town Administrator will check on these items and get back to the Board.

XI. ADJOURNMENT

Action: Trustee Schutt moved to adjourn the March 10, 2015 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the March 10, 2015 Regular Meeting of the Town of Erie Board of Trustees at 8:14p.m.

Respectfully Submitted,


Nancy J. Parker, CMC, Town Clerk


Tina Harris, Mayor

