

**MINUTES**  
**EVANS CITY COUNCIL**  
Regular Meeting  
August 20, 2013 - 7:30 P.M.

**CALL TO ORDER**

Mayor Achziger called the meeting to order at 7:30 p.m.

**PLEDGE**

**ROLL CALL**

Present: Mayor Achziger, Mayor Pro-Tem Morris, Council Members Brown, Neibauer, Rudy, and Schaffer.

Absent: Council Member Clark

**AUDIENCE PARTICIPATION**

There was no audience participation.

**APPROVAL OF AGENDA**

Council Member Schaffer made the motion, seconded by Council Member Rudy to approve the agenda. The motion passed with all voting in favor thereof.

**CONSENT AGENDA**

- A. Approval of Minutes of the Regular Meeting of August 5, 2013**
- B. Resolution No. 28-2013—Designation of Public Place for Postings in the City of Evans**
- C. Resolution No. 29-2013—Joint Use Agreement with District 6**

Council Member Rudy made the motion, seconded by Council Member Brown, to adopt the consent agenda.

Council Member Schaffer explained that he was absent from the regular meeting on August 5, 2013 and recused himself from voting on the minutes of the August 5<sup>th</sup> meeting. The motion passed with all voting in favor thereof.

**NEW BUSINESS**

- A. Public Hearing—Resolution No. 29-2013 for USR Bell Supply**

Zach Ratkai, City Building and Development Director, explained that the applicant has requested to postpone the public hearing until the next City Council meeting on September 3<sup>rd</sup>.

Mayor Pro-Tem Morris made the motion, seconded by Council Member Rudy, to continue the public hearing until September 3, 2013. The motion passed with all voting in favor thereof.

**B. Resolution No. 30-2013 - Supporting The Grant Application For A Local Parks And Outdoor Recreation Planning Grant From The State Board Of The Great Outdoors Colorado For The South Platte River Corridor Master Plan**

Sheryl Trent, Community and Economic Development Director, explained that the Resolution allowed the City to request \$75,000 from Great Outdoors Colorado (GOCO) to create a Master Plan for the South Platte River in Evans. She explained that the City Council has already appropriated \$40,000 for the Master Plan project and that no additional financing would be needed by the City. She also stated that any contracts related to the project would be approved by City Council.

The Mayor discussed his support for the Master Plan for the South Platte River and asked about the timeline of completing the project.

Ms. Trent explained the timelines of the grant request and completing the project if the City receives funding from GOCO.

Mayor Pro-Tem Morris made the motion to approve Resolution 30-2013 concerning a matching grant for the South Platte River Corridor Trail Project in the amount of \$75,000. The motion passed with all voting in favor thereof.

**C. Public Hearing—New Hotel/Restaurant Liquor License for Roma Restaurant**

The Mayor opened the public hearing at 7:41 p.m. and requested to hear from staff.

Raegan Robb, Evans City Clerk, presented the application for a new Hotel/Restaurant liquor license for TAA Inc., doing business as Roma Restaurant, located at 3625 23<sup>rd</sup> Avenue, Evans.

Mr. Robb explained that City Council would be acting as the Local Licensing Authority to deny or approve the request for a Hotel/Restaurant Liquor License. He also stated that this license was submitted for concurrent review with the City and the State, and explained that the City would not issue the liquor license until the premises are properly inspected and the applicants receive a Certificate of Occupancy and City Business License. Mr. Robb summarized the preliminary findings from the report submitted to the applicant for the Hotel/Restaurant Liquor License, which covered the local and state requirements that were satisfied prior to the hearing. He concluded his presentation by requesting that City Council approved the application for a Hotel/Restaurant Liquor License.

The applicant, Chris Allison, 4916 3<sup>rd</sup> Street Road, Greeley, addressed City Council to request their support for the liquor license.

Mayor Achziger asked Mr. Allison about his timeline for completion and the businesses surrounding the location.

Mr. Allison, explained that he hopes to be open by mid-September and explained what other businesses would surround the location.

The Mayor discussed his support for the business to receive a liquor license.

Mayor Pro-Tem Morris asked Mr. Allison about his “TIPS” alcohol training and certifying his employees.

Mr. Allison explained that he has taken TIPS courses and tries to have his employees certified.

The Mayor closed the public hearing at 7:49 p.m.

Mayor Pro-Tem Morris discussed his support for the business.

The other Council Members discussed their support for the business to receive a liquor license.

Council Member Neibauer, made the motion, seconded by Council Member Brown, for the conditional approval of the Hotel/Restaurant Liquor License for TAA Inc., doing business as Roma Restaurant. The motion passed with all voting in favor thereof.

#### **D. Public Hearing—New Hotel/Restaurant Liquor License for Lit’l Bit Bar & Grill**

The Mayor opened the public hearing at 7:52.

Mr. Robb, presented the application for a new Hotel/Restaurant liquor license for Lit’l Bit Bar & Grill LLC, doing business as Lit’l Bit Bar & Grill, located at 3620 35<sup>th</sup> Avenue, Evans.

Mr. Robb explained that City Council would be acting as the Local Licensing Authority to deny or approve the request for a Hotel/Restaurant Liquor License. He also stated that this license was submitted for concurrent review with the City and the State, and explained that the City would not issue the liquor license until the premises are properly inspected and the applicants receive a Certificate of Occupancy and City Business License. Mr. Robb summarized the preliminary findings from the report submitted to the applicant for the Hotel/Restaurant Liquor License, which covered the local and state requirements that were satisfied prior to the hearing. He concluded his presentation by requesting that City Council approved the application for a Hotel/Restaurant Liquor License.

Mayor Achziger asked the applicants if they wanted to speak on the liquor license application. The applicants, Debra Nelson, 555 E. 19<sup>th</sup> Street, Greeley, Barbara Solivais, 319 Ash Court, Evans, addressed City Council to discuss the plans for their business and the request for the license.

Deb and Barb discussed their experience in the restaurant business, talked about their previous careers, and talked about the transition into the new restaurant space.

Mayor Achziger discussed his support for the business to receive a liquor license.

Mayor Pro-Tem Morris asked staff to if the business had received a building permit.

Mr. Robb clarified that the business had received a building permit and explained that the business was close to receiving its Certificate of Occupancy.

Council Member Schaffer discussed his association with Barb Solivais, which was determined not to be a conflict of interest. He voiced his support for the business and for the request for a liquor license.

At 8:03 p.m. Mayor Achziger closed the public hearing.

The Council Members discussed their support for the application.

Mayor Achziger asked the applicants about their timeline to open their business.

The applicants explained that they were planning on opening by September 14<sup>th</sup>.

Council Member Rudy made the motion, Seconded by Council Member Schaffer, to approve the conditional approval of the Hotel/Restaurant Liquor License for Lit'l Bit Bar & Grill, LLC, doing business as Lit'l Bit Bar & Grill. The motion passed with all voting in favor thereof.

## **REPORTS**

### **A. City Manager**

Aden Hogan, City Manager, distributed the City Manager's Monitoring Report and discussed the upcoming District 2 meeting hosted by the Colorado Municipal League in Estes Park, on October 3<sup>rd</sup>. He also talked about the changing seasons and provided an update concerning the City's change to a ".gov" web domain. He also discussed the City Safety Event conducted on August 10<sup>th</sup> and thanked all of the staff involved in helping with the event.

Mayor Achziger also thanked staff for their help with the City Safety Event, specifically

Officer Michael Yates.

**B. City Attorney**

Scott Krob, discussed his review of the closing documents for the Riverside Library and Cultural Center. He also provided an update about his meetings with staff to educate him about the City's issues related to equivalent residential units (EQRs). Mr. Krob also discussed his work with City staff on an IGA between Evans Police Department and Weld County related to the use of SOTAR for tracking sex offenders in the City. He also mentioned an update he received from the Development Review Team.

**AUDIENCE PARTICIPATION (general comments)**

There was no audience participation

**EXECUTIVE SESSION**

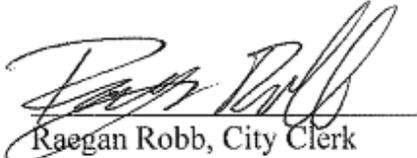
**A. For the purpose of discussing matters that may be subject to negotiations C.R.S. 24-6-402(4)(e).**

At 8:17 p.m. Council Member Schaffer made the motion, seconded by Mayor Pro-Tem, to go into Executive Session. The motion passed with all voting in favor thereof.

The Executive Session concluded at 9:01 p.m.

**ADJOURNMENT**

The regular meeting adjourned at 9:02 p.m.

  
Raegan Robb, City Clerk