

MINUTES
EVANS CITY COUNCIL
February 3, 2015

CALL TO ORDER

Mayor Morris called the meeting to order at 7:35 p.m.

PLEDGE

ROLL CALL

Present: Mayor Morris, Mayor Pro-Tem Schaffer, Council Members Brown, Clark, Finn, Homann, and Rudy

AUDIENCE PARTICIPATION

Amy Hoover, from 3220 O'Connor Avenue, Evans, addressed City Council to discuss her concerns about parking from a neighboring school that is causing congestion in her neighborhood with parents parking in front the homes along O'Connor Avenue.

Mayor Morris thanked Ms. Hoover for her comments and asked Aden Hogan, City Manager, to follow-up with Ms. Hoover about this issue.

Jim Stelmack, from 4407 South Shenandoah, Hill N Park, thanked City Council for advocating for better transportation to the Hill N Park area by the Greeley/Evans Transportation (GET) system.

APPROVAL OF AGENDA

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to adopt the Agenda. The motion passed with all voting in favor thereof.

CONSENT AGENDA

A. Approval of Minutes of the Regular Meeting of January 20, 2015

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to adopt the Consent Agenda. The motion passed with all voting in favor thereof.

NEW BUSINESS

A. Resolution No. 06-2015 - Authorizing the Adoption of the Riverside Park Master Plan

Sheryl Trent, City Economic Development Director, provided some history about the 2013 Flood Disaster and the options provided by the Federal Emergency Management Agency (FEMA) to create a Master Plan to redevelop Riverside Park. She introduced Kevin Chase from THK Associates, Inc. and talked about the

multiple stages of implementing the Master Plan, with the intent of having the park fully opened by 2018. She discussed the seven stages of the Master Plan and explained that this was not the final vote on Riverside Park, since several major decisions would be in front of the City Council for consideration—according to the Master Plan.

Mr. Chase explained that the presentation for this evening was a continuation of the Council's vote on November 18, 2014 to approve the final design concept of Riverside Park. He summarized the following seven chapters of the Master Plan:

- Project Introduction;
- Project Background;
- Planning Process;
- Riverside Park Master Plan;
- Implementation;
- Funding and Partnering Opportunities; and
- Adjacent Land Acquisition

He also talked about the two appendices to the Master Plan that contain additional documents, plans, maps and studies, and summarized the appendices.

Mr. Chase talked about the vision of the Master Plan and summarized the five goals of Chapter I:

- creating a more resilient park;
- consider both past and future recreational needs;
- create a sustainable park that is maintenance appropriate;
- maximize additional funding; and
- connecting Riverside Park to other City resources.

He also summarized the following issues covered in Chapter II of the Master Plan:

- project start-up;
- data gathering; and
- planning process.

Mr. Chase discussed the project background, talked about the participation for the citizen survey that identified: the desired uses of the future Park, better flood resiliency, and better river access. He also talked about the results from the three - day workshop where residents provided input on the Riverside Park Plan.

He discussed the topic of flood resiliency, covered in Chapter IV, and talked about reconstructing the flood plain in the Riverside Park area. Mr. Chase proceeded to provide an overview of the major topics in Chapter IV:

- conceptual use areas;
- circulation access and connections;
- recommendations for structure aesthetic;
- utilities; and
- restoring previous park functions.

Mr. Chase summarized Chapter V, which addresses different categories of projects that need to be addressed and discussed the cost estimates and line item funding

sources for each. He discussed some of the projects that FEMA will fund, but FEMA will not fund some park enhancements identified in the Master Plan. He talked about some funding shortfalls identified in Chapter V, reviewed the implementation schedule, and summarized the timeline of the implementation schedule.

Mr. Chase discussed the timeline to open the park by 2018 and updated the Council about the City's request for a 30-month extension with FEMA as well as other obligations with U.S. Army Corps of Engineers, the Environmental Protection Agency, and the State Historic Preservation Office.

He summarized the state and federal funding opportunities that are covered in Chapter VI and possible funding partnership opportunities with Xcel Energy and regional oil & gas companies.

Lastly, Mr. Chase summarized Chapter VII, which addresses potential land acquisitions to improve the park and the flood resiliency of the park. He also talked about some of the possible acquisitions covered in Chapter VII.

Mayor Pro-Tem Schaffer and Mayor Morris asked about construction timeline.

Mr. Chase explained that debris removal and other smaller projects would precede actual construction that would begin in 2017, with completion in 2018.

Mayor Pro-Tem Schaffer asked if there was any way the schedule allowed for the project to be finished sooner.

Mr. Chase clarified that the timeline does not anticipate an early completion due to the fact that several stages will require applying with state and federal entities.

Mayor Morris asked about the 30-month FEMA extension and if this was the only chance to extend the project.

Warren Jones, City Flood Recovery Manager, confirmed that the City did apply for a 30-month extension with FEMA. He also explained that requests to extend extensions would be rare cases and that the City should try to avoid needing additional time.

Mayor Morris clarified that the Resolution was only for the Council to authorize the adoption of the Master Plan and that no funding was being spent through the adoption of the Resolution.

Mr. Jones confirmed that the Resolution was not authorizing any spending.

Mayor Pro-Tem Schaffer asked about the next step of the Park Master Plan.

Mr. Chase explained that the City would be studying the hydrology of the South Platte River and the flood team was already reviewing proposals for this work.

Mayor Morris asked for any public comment on the issue of the Riverside Park.

There was none.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to approve Resolution 06-2015. The motion passed with all voting in favor thereof.

B. Resolution No. 07–2015 - Authorizing City Staff to Submit “Notice of Intent” to apply for Round 2 Community Development Block Grant-Disaster Relief Grants to Partially Fund the Restoration and Redevelopment of Riverside Park

Warren Jones, City Flood Recovery Manager, talked about the request for proposal (RFP) that was released by the City for a hydrology engineering study of the South Platte River, which would be presented to City Council at the February 17th meeting.

He explained that Resolution 07-2015 authorizes the City to submit notices of intents (NOIs) to apply for a \$10,623,362 grant in Round 2 of the Community Development Block Grant-Disaster Relief (CDBG-DR) funds for restoration and redevelopment of Riverside Park in accordance with the concept plan approved by City Council in November of 2014.

He explained that the first step in the application process is submission of the NOIs, which are due on February 13, 2015. Mr. Jones explained that the NOIs would address the following four projects related to Riverside Park:

- Riverside Park Floodplain Restoration (\$5,000,000);
- Riverside Park Development and Restoration (\$4,293,362);
- Final Design, Engineering, Construction Documents and Administration- (\$630,000); and
- Matching funds for FEMA PW #997(\$700,000).

He summarized the four projects and talked about the next phases of funding if the NOIs are approved. He stated that the NOIs that are approved by the State Division of Homeland Security and Emergency Management (DHSEM) would require full applications due on May 29, 2015.

Mr. Jones asked City Council to adopt Resolution 07-2015 to authorize staff to submit the NOIs for the projects listed above.

Mayor Pro-Tem thanked Mr. Jones and the other City staff for their work on the Riverside Park Master Plan and his support for the NOIs.

Mr. Jones thanked the employees on the flood team and the members of the Evans Recovery & Redevelopment Task Force.

Mayor Morris talked about why the Council needed to approve the NOIs in order to submit project by the deadline of the state funding, but explained that other major funding decisions would be necessary following the review by the DHSEM.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to adopt Resolution 07-2015. The motion passed with all voting in favor thereof.

C. Resolution No. 08-2015 -A Resolution Supporting a Grant Application to the Colorado Department of Local Affairs to Assist With the Sediment and Erosion Study Along the South Platte River Corridor

Ms. Trent, explained that Resolution 08-2015 authorizes the City to apply for a grant on behalf of the Middle South Platte River Alliance to acquire \$300,000 for a sediment transport and feasibility study.

Ms. Trent discussed the need for the City to submit for the study, which would help the Alliance and could also impact the decisions of the Riverside Park Area Master Plan.

She talked about the importance of understanding the hydrology and sediment of the South Platte River, there was no match for the grant, but the funds would be facilitated by the flood coordinator under the alliance.

Mayor Morris discussed his support for the Resolution.

Council Member Clark made the motion, seconded by Council Member Rudy, to adopt Resolution 08-2015. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan updated Council about new process of Stat-Ops, which will focus primarily on the priorities identified by the City Council at their annual retreat.

He also talked about the progress of the water meter-reader replacement program stating that less than 1,300 meters needed to be replaced, the project should be completed by the end of April, 2015, and test on new meters were already showing more accurate readings.

Mr. Hogan provided an update about the street conditions in Evans and explained that the annual concrete/asphalt replacement program will be re-evaluated this spring to address some of the potholes that have resulted from winter storms.

Lastly, he provided an update concerning the recent progress of the wastewater treatment project.

B. City Attorney

Scott Krob, City Attorney, provided an update concerning the ongoing case with the Eastwood Village property owners. Mr. Krob explained that the owner has withdrawn from receiving any grant funding and has filed inverse condemnation order against the City.

Mr. Krob also provided an update concerning the recent litigation with Mr. Dirks. Mr. Krob explained that the Dirks have offered a settlement to have the property clear of modular homes by July, 2017. He discussed the current progress at the site and explained why the City should deny the current settlement being offered by the property owner.

Mr. Krob provided an update concerning equivalent residential units (EQRs) and water shares to the Godfrey Ditch. Mr. Krob explained that the City will probably return the Godfrey Ditch shares to Mr. Ulmer in exchange for the EQRs held by the City.

Mr. Krob summarized a recent request to enter into oil and gas leases on City property and stated that he would provide an update at the February 17th meeting.

He also talked about a potential Ordinance concerning oil & gas regulations that would allow drilling in any part of the City through an approved application for a Use by Special Review (USR).

Lastly, Mr. Krob explained that he would follow-up with City Council concerning the issues with the board appointment process for the High Plains Library District Board at the February 17th meeting.

AUDIENCE PARTICIPATION

Fred Neal, 1614 38th Street, Evans, explained why the City should deny the initial settlement offered by Mr. Dirks.

Mr. Neal also discussed a former agreement with the Grove Apartment and talked about the need to finalize this agreement to maintain the infrastructure surrounding the apartment complex.

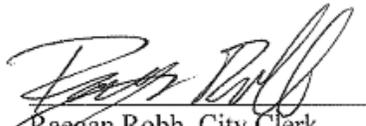
Lastly, he shared the following quote with the City Council:

“Those who cannot remember the past, are condemned to repeat it.”
-George Santayana.

Mr. Neal warned the Council about repeating mistakes of the past.

ADJOURNMENT

The meeting adjourned at 8:46 p.m.



Raegan Robb, City Clerk