

MINUTES
EVANS CITY COUNCIL
April 7, 2015

CALL TO ORDER

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

PLEDGE

ROLL CALL

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

PROCLAMATIONS

A. Arbor Day

Mayor Morris read the proclamation for Arbor Day and presented it to Scott Sandridge, City Parks and Grounds Superintendent.

B. Mayors' Day of Recognition for National Service

Mayor Morris read the proclamation for Mayor's Day of Recognition for National Service and presented the proclamation to the following VISTA members of the United Way of Weld County:

- Kristina Sandquist;
- Ashley Boyer;
- Elise Kapitancek;
- Melanie Falvo;
- Laura Hobbs;
- Jonathan Basso; and
- Christina McKasy

AUDIENCE PARTICIPATION

Julie Cozad, Weld County Commissioner, District 2, addressed the City Council to introduce herself to Evans Residents and poll the Council about any issues they wanted to address with Weld County. Commissioner Cozad talked about coffee with Cozad at the Blue Mug every Friday, in Greeley, and invited any constituents to schedule an appointment with her during her office hours. She talked about her monthly meetings with Mayor Morris and asked to be included in City events. Mayor Pro-Tem Schaffer asked Commissioner Cozad about the changing boundaries

of the Commissioner Districts. Commissioner Cozad described how the Commissioner District boundaries will change to balance representation in the County.

Mayor Morris thanked Commissioner Cozad for her comments.

Mr. Lynn Depew, 3822 Empire Street, Evans, stated he was speaking for him and not as a member of the Recovery and Redevelopment Task Force.

Mr. Depew discussed his frustration about how the Task Force was managed by Sheryl Trent, City Economic Development Director. Specifically, Mr. Depew discussed some requests made by the Task Force that were not met, including a joint meeting with other flood-damaged communities and the Task Force's request for a City economic update. He talked about the benefits of the Task Force going onsite to Riverside Park, but complained that Ms. Trent was not present, and expressed frustration about not using the City bus for the tour. Lastly, Mr. Depew resigned from the Flood Task Force—effective immediately.

APPROVAL OF AGENDA

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

CONSENT AGENDA

A. Approval of Minutes of the Regular Meeting of March 17, 2015

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

NEW BUSINESS

A. Ordinance No. 620-15 Code Changes Regarding Fireworks (1st Reading)

Rick Brandt, Chief of Police presented the Ordinance which would create a new Chapter 9.33 in the Evans Municipal Code, to simplify the definition of fireworks in City Code in order to prosecute the unauthorized possession, sale, or use of fireworks in the City of Evans. According to Chief Brandt, the proposed definition is substantially similar to and consistent with the definition utilized by other municipalities.

Chief Brandt also explained that if Ordinance No. 620-15 is adopted, the International Fire Code (IFC) would remain as a part of City Code and citing officers would have the option to pursue recourse under the newly-enacted Chapter 9.33 or under the IFC.

Mayor Morris clarified that the code change would only allow the legal use of consumer fireworks.

Chief Brandt, stated that only the safer consumer fireworks would be allowed in the City.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to approve Ordinance No. 620-15 on first reading.
The motion passed with all voting in favor thereof.

B. Resolution No. 10-2015 Adopting a City Policy for the Disposal of Surplus or Abandoned Property

Jessica Gonifas, Deputy City Manager, explained that the City currently lacks a formal asset disposal policy for items other than real estate and confiscated property. According to Ms. Gonifas, the proposed Resolution outlines the disposal process for property into two categories: original cost of \$5,000 or more; and less than \$5,000. She stated that property that had an original cost over \$5,000 will be declared surplus property 1 to 2 times per year by resolution considered by the City Council. Items with an original cost under \$5,000 can be disposed of by Department Director approval. Ms. Gonifas explained that revenue collected from the sale of surplus property will be receipted into the same fund that was used to originally purchase the equipment.

Ms. Gonifas explained that the original Resolution was amended according to comments received by City Council to require employees to pay the fair-market value to purchase any item under the disposal policy. The Council Members received a hand out showing the amended language to the Resolution.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to adopt Resolution No. 10-2015, as amended.
The motion passed with all voting in favor thereof.

C. IGA with Weld County School District 6 (Prairie Heights Middle School)

Fred Starr, Director of Public Works and Community Development, and Zach Ratkai, Building and Neighborhood Services Manager, explained that the City of Evans was requesting the Council's approval of an intergovernmental agreement (IGA) between the City of Evans and the Greeley-Evans School District-6 regarding

the development of Prairie Heights Middle School in the City of Evans. Mr. Starr discussed the impact fees for extending the sewer extension to Igo-Farms originally required by the Igo-Farm Annexation and the need to reimburse the School District. Under the IGA, the City of Evans will collect \$119,888.38 in total impact fees and remitting \$49,195.94 to the developer in accordance with the agreement.

Wayne Eads, Interim Superintendent, Greeley-Evans School District-6, addressed the City Council to thank them for supporting the development of Prairie Heights Middle School, supporting the bond question for the Middle School, and asked that the Council support the IGA.

Mayor Morris asked about the plans for non-potable to the school grounds.

Mr. Eads explained that the school district is planning on installing both potable and non-potable water systems to begin irrigating with non-potable water on the school grounds as soon as the City can provide non-potable water to this area.

Council Member Homann asked about if installing the non-potable system on the school grounds could happen according to the July 1st deadline identified in the agreement.

Mr. Starr and Mr. Ratkai both spoke about the timeline of the project and the build-out of the non-potable water system to the project.

Mayor Morris clarified that water delivery should be suspended in the event that the non-potable system has not been implemented by July 1st.

Mr. Starr clarified that water delivery would be suspended in the event that the non-potable system was not in place for irrigation by July 1st.

Council Member Clark made the motion, seconded by Council Member Rudy, to approve the IGA with Weld County School District 6 for Prairie Heights Middle School. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Aden Hogan, City Manager, referred the Council Members to the City Manager's Monitoring Report and to a recent email from the Colorado Municipal League concerning legislation that will reduce the amount of severance taxes to local governments. Mr. Hogan talked about Representative Dave Young's role on the Joint Budget Committee and encouraged council to contact Representative Dave Young.

B. City Attorney

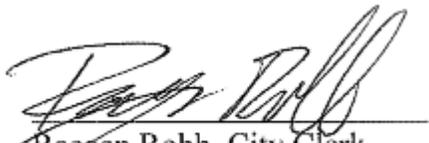
Scott Krob, City Attorney, updated Council about the Ashley Fallis case and a recent suit filed against the City by the Fallis family. Mr. Krob explained that legal counsel under the City's liability insurance would be handling this suit. He also discussed issues with equivalent residential units (EQRs) and the Central Water Conservancy District concerning the City's water rights in the Godfey Ditch. Lastly, Mr. Krob updated Council on the ongoing disagreement with Scott Erlich over the City development fees attached to the construction of Aschcroft Heights. According to Mr. Krob, these fees will not be paid until an agreement is reached between the City and Mr. Erlich's legal counsel.

AUDIENCE PARTICIPATION

There was no audience participation.

ADJOURNMENT

The meeting adjourned at 8:05 p.m.


Raegan Robb, City Clerk