

MINUTES
EVANS CITY COUNCIL MEETING
May 19, 2015

CALL TO ORDER

Mayor Pro-Tem Schaffer called the meeting to order at 7:35 p.m.

PLEDGE

ROLL CALL

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

Absent: Mayor Morris

PROCLAMATIONS

A. Rocky Mountain National Park

Mayor Pro-Tem Schaffer, read the proclamation commemorating the 100th Anniversary of Rocky Mountain National Park and presented it to Mr. Bob Stack.

B. Public Works Week

Mayor Pro-Tem Schaffer, read the proclamation celebrating Public Works Week and presented it to Dawn Anderson, City Engineer.

C. Memorial Day

Mayor Pro-Tem Schaffer, read the proclamation celebrating Memorial Day and stated that it would be presented to members of the Evans VFW at their annual Memorial Day event at the Evans Cemetery.

AUDIENCE PARTICIPATION

Laura Speer, 4020 Empire Street in Evans, asked the City Council to keep the berms in place along the South Platte River. Ms. Speer explained that the berms were keeping the rising river from her property and neighboring property. She asked the City Council to keep the berms along the river for flood protection.

Ms. Speer also discussed recent problems with stray dogs in the east side of the City and explained the need for the City to have an animal control officer.

APPROVAL OF AGENDA

Council Member Clark 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 May 5, 2015

Council Member Clark made the motion, seconded by Council Member Brown, to adopt the Consent Agenda. The motion passed with all voting in favor thereof.

OLD BUSINESS

A. Rumsey-Werning-Camenisch Annexation Agreement Amendment – (Continued from November 18, 2014 City Council Hearing)

Sean Wheeler, City Planner, explained to the City Council that staff was recommending continuing the Rumsey-Werning-Camenisch Planned Unit Development (PUD) due to modifications requested by the property owner and surrounding property owners. Mr. Wheeler talked about the progress by the Wernings and surrounding property owners, and asked for the PUD to be continued to September, 2015 but stated that the issues could be solved as early as June, 2015.

Council Member Clark made the motion, seconded by Council Member Rudy, to continue the consideration of the Rumsey-Werning-Camenisch Planned Unit Development (PUD) request to a date uncertain but not beyond September, 2015. The motion passed with all voting in favor thereof.

B. Ordinance No. 622-15 Changes to City Code Banning E-cigarettes (2nd Reading)

Raegan Robb, Evans City Clerk, presented Ordinance No. 622-15 to the City Council explaining that the item was not unanimously approved on 1st Reading, therefore it was placed under Old Business for a final vote. He stated that staff was recommending that Council continue the Ordinance to the regular City Council meeting on June 2, 2015, since all of the City Council were not present to vote.

Council Member Rudy stated that he would not be present at the June 2nd meeting, but he would be present at the meeting on June 15th.

Council Member Clark made the motion, seconded by Council Member Brown, to continue Ordinance No. 622-15, to June 15, 2015 for second reading and final adoption. The motion passed with all voting in favor thereof.

NEW BUSINESS

A. Ordinance No. 623-15 Amending the Zoning Code to Make Oil & Gas Related Uses a Use By Special Review In Specific Zoning Districts (1st Reading)

Scott Krob, City Attorney, presented Ordinance No. 623-15, which clarifies and amends the City Zoning Code to require oil and gas related uses to apply with the City as a Use by Special Review (USR) in most zoning throughout the City. Mr. Krob explained that the code change would allow City staff and the City Council to have more control over future oil and gas operations in the City.

Council Member Clark made the motion, seconded by Council Member Homann, to approve Ordinance No. 623-15 on first reading.
The motion passed with all voting in favor thereof.

B. Resolution No. 15-2015 Authorizing the City to Accept Funds for Two Emergency Generators from the State Hazard Mitigation Grant Program

David Burns, City Emergency Management Coordinator, discussed the need for Resolution No. 15-2015 in order for the City to receive state funding for two emergency generators. Mr. Burns explained that the City submitted a request in September, 2014 to receive funding from the state Hazard Mitigation Grant Program for two large backup generators. Mr. Burns explained that the generators would be placed at the City Public Works' Center and at Fire Station #2 to allow each building to operate during power outages.

Mayor Pro-Tem Schaffer asked about the total cost of the generators.

Mr. Burns explained that there should not be any cost to the City according to funding breakdown of 75% from Hazard Mitigation Planning Grant and the remaining 25% from state funds.

Council Member Homann asked about the types of generators that would be placed at the Public Works' Building and Fire Station #2.

Mr. Burns clarified the types of generators for each building.

Mayor Pro-Tem Schaffer invited public comment on this issue—there was none.

Mayor Pro-Tem Schaffer asked for a motion.

Council Member Clark made the motion, seconded by Council Member Rudy, to adopt Resolution No. 15-2015. The motion passed with all voting in favor thereof.

C. The Award of Bid – Evans Wastewater Treatment Facility Repairs

Dawn Anderson, City Engineer, explained that the City contracted with Olsson & Associates and introduced Carlos Medina, P.E. from Olsson & Associates.

Mr. Medina explained that Olsson & Associates was overseeing the project and coordinating bids to other subcontractors. According to Mr. Medina, the project bid would be for the permanent repairs to the City's Waste Water Treatment Facility that was damaged during the flood disaster in September 2013. He discussed the public bidding process, with one bid submitted from Landmark Builders. He discussed one discrepancy in the original bid that was corrected by the contractor.

Jacque Troudt, City Finance Manager, explained that the bid amount was identified in the original project estimate sent to the Federal Emergency Management Agency (FEMA). According to Ms. Troudt, the original estimate was approximately \$809,000 and explained the need for a budget amendment of \$760,000 to complete the full scope of the repairs approved by FEMA.

Mayor Pro-Tem Schaffer asked about the large increase for the project.

Mr. Medina talked about the cost increase due to the flood damages to the lagoons.

Mayor Pro-Tem Schaffer asked if this was the only bid for the project.

Mr. Medina explained that this was the sole bid, but several pre-bid meetings were conducted with interested contractors.

Ms. Troudt added that Landmark had specific equipment to dredge the lagoons for the needed repairs.

Mayor Pro-Tem Schaffer clarified that there was funding available in the Waste Water Fund.

Ms. Troudt, stated that yes the funding would come from the Waste Water Fund and that FEMA would begin reimbursing the City once the project begins.

Council Member Clark asked why the project was necessary.

Mr. Medina explained that the project was necessary to repair the current lagoons for waste water treatment while the City built a new facility.

Ms. Troudt added that the site would still need to be mitigated no matter what.

Council Member Homann asked where the debris from the site would be going.

Mr. Medina explained that debris would be taken off site depending on the type of material and added that any hazardous materials would be taken to a landfill.

Council Member Clark asked about capacity of the lagoons.

Mr. Medina spoke to the capacity of the lagoon.

The Council Members discussed their support for the bid award.

Council Member Clark made the motion, seconded by Council Member Homann, for the bid amount to Landmark Builders in the amount of \$1,568,443.05 and approve a preliminary budget revision in the amount of \$760,000 expense and \$665,000 of associated revenue. The motion passed with all voting in favor thereof.

D. The Award of Bid – 2015 Concrete Replacement Contract

Dawn Anderson, City Engineer, discussed the bid process for the 2015 concrete replacement contract. She explained that the City received two bids, and recommended that City Council award the contract to Can-Do Concrete Construction, Inc. and authorize the Mayor's signature on a contract not to exceed the amount of \$75,000.00.

Council Member Homann asked what streets would be repaired.

Ms. Anderson explained that concrete repairs would be completed throughout the City based on the largest need, but talked about repairs to curbs, gutters, and sidewalks based on need as well. She stated that City staff will place a map on the website to indicate where concrete repairs would be completed.

Council Member Homann asked how to meet the contract expense of not to exceed \$75,000.

Ms. Anderson explained that the repairs would be completed until the funding expired.

Council Member Clark, made the motion, seconded by Council Member Homann, to award the 2015 Concrete Replacement Contract to Can-Do Concrete Construction, Inc. and to authorize the Mayor's signature on an agreement in the amount not to exceed \$75,000.00. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Aden Hogan, City Manager, referred the Council to the updates in the City Monitoring Report and explained that hard copies of the Monitoring Report were going to be available at future City Council meetings.

He also wanted to recognize City Flood Staff, specifically David Burns, for receiving grant funds for two emergency generators. He commended City flood staff for all of the work conducted on the flood recovery.

B. City Attorney

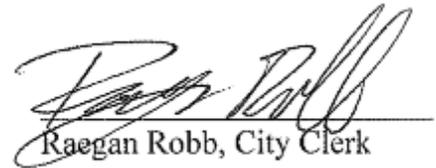
Scott Krob, City Attorney, updated City Council concerning recent discussions with water engineers from the Central Colorado Water Conservancy District about the value of Equivalent Residential Units (EQRs) held by the City. Mr. Krob also provided an update concerning an upcoming amended annexation agreement with ARB MidStream. He explained that City staff met with the developers to discuss the next phase of the project.

AUDIENCE PARTICIPATION

There was no audience participation.

ADJOURNMENT

The meeting adjourned at 8:15 p.m.


Raegan Robb, City Clerk