

MINUTES
EVANS CITY COUNCIL
June 15, 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, Rudy

RECOGNITIONS

A. June Yard of the Month

Mayor Morris presented Yard of the Month to Kyle Fehr, City Code Enforcement Officer, who received the Yard of the Month award on behalf of Mr. Dennis Walkowiak, from 2107 36th St Court, Evans.

B. Introduction of City A.C.E. Interns

Aden Hogan, City Manager, introduced Raul Rodriguez, City Safety & Risk Management Specialist, who talked about the A.C.E. program and discussed various activities going on between City employees and their new interns. Mr. Hogan and Mr. Rodriguez introduced the following summer interns to City Council and spoke about their respective strengths and talents:

- Eduardo Arredondo;
- Garret Anderson;
- Eduardo Gomez;
- Mario Hernandez;
- Azucena Zozaya; and
- Nicholas Bates.

Mayor Morris thanked Evans staff for organizing the A.C.E. program and having the interns in various departments. The Mayor discussed the importance of early education and the various challenges placed on the interns.

PROCLAMATION

A. Greeley Stampede

Mayor Morris read the proclamation concerning the Greeley Stampede and presented it to Mr. Hogan.

APPOINTMENTS

A. Appointments to the Evans Economic Development Advisory Committee

Sheryl Trent, City Economic Development Director, provided some history about the Evans Economic Development Advisory Committee (EEDAC) which was established by the Evans City Council through the adoption of Resolution No. 20-2010. Ms. Trent explained that several applications were submitted and the three attached applications were being recommended for appointment by the City Council.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to appoint Kyla Benson, Jeff Crabtree, and Rose Esparza to the Evans Economic Development Advisory Committee.

The motion passed with all voting in favor thereof.

AUDIENCE PARTICIPATION

Steve Bernardo, 3213 Grenache Street, Evans, expressed concerns to the City Council about the current upkeep of City Parks. Mr. Bernardo distributed some materials to Council and staff concerning the areas of concern.

Mayor Morris thanked Mr. Bernardo for his comments.

APPROVAL OF AGENDA

Raegan Robb, Evans City Clerk, updated the agenda explaining that the two executive sessions listed under agenda item 14 were no longer necessary. Mr. Robb explained that the performance evaluations for the City Attorney, Prosecuting Attorney, and Municipal Court Judge, would take place at the Regular City Council meeting on July 7, 2015. The following items were stricken from the agenda:

- A. For the discussion of a personnel matter (City Attorney's performance evaluation) pursuant to C.R.S. 24-6-402(4)(f)
- B. For the purpose of discussing matters that may be subject to negotiations pursuant to C.R.S. 24-6-402(4)(e)

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark, to adopt the Agenda, as amended.

The motion passed with all voting in favor thereof.

CONSENT AGENDA

- A. **Approval of Minutes of the Regular Meeting of June 2, 2015**
- B. **Ordinance No. 624-15 Repeal and reenactment of Chapter 15.20, National Electrical Code (2nd Reading)**
- C. **Letter of Support for Enterprise Zone Changes**

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.

OLD BUSINESS

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

Raegan Robb, Evans City Clerk, presented Ordinance No. 622-15, which amends Chapter 8.18 of the Evans City Code to include electronic smoking devices under the current section of City code controlling smoking in the City. Mr. Robb explained that the first reading of the Ordinance was May 5th, but the City Council needed a final vote with all Council Members present.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to approve Ordinance No. 622-15 to amend City Code to prohibit e-cigarettes. The motion passed 4-3 on a roll-call vote, with Mayor Morris, Mayor Pro-Tem Schaffer, Council Member Brown, and Council Member Rudy voting in favor; and Council Members Clark, Finn, and Homann voting against.

NEW BUSINESS

- A. **Resolution No. 18-2015 — Disaster/Emergency Declaration for Evans Flooding**

Mr. Hogan explained that the Resolution serves as a declaration by the City Council of the City of Evans, Colorado, due to the heavy rains and flooding that have occurred throughout the City of Evans, Weld County, and other Colorado Counties beginning June 3, 2015. He spoke about the damages from the recent heavy rains and flooding, which caused substantial damages to private and public properties as well as City road closures, with the full extent of such damages unknown at the present time.

According to Mr. Hogan, the Resolution requests State and Federal funding for disaster relief and authorizes the Mayor to sign any and all documents for the purpose of defining and communicating the existence of said disaster emergency.

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Mayor Morris updated the City Council about the need to execute the disaster declaration on Thursday, June 11, 2015.

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

REPORTS

A. City Manager

Mr. Hogan updated City Council about new businesses going into the 85 Corridor, referred City Council members to the updates in the Monitoring Report, and discussed the current 2015 sales tax revenue.

B. City Attorney

Scott Krob, City Attorney, updated the City Council that he will be presenting different legal issues at future work sessions. According to Mr. Krob, some of the issues he will cover, include: conflicts of interest, reasons for executive sessions; open records issues related to email/phone use, and the Council's role as a legislative body vs. quasi-judicial body.

Lastly, Mr. Krob explained that the City recently received notice of being sued by a Mr. Cowen concerning a non-conforming use of a warehouse near Eastwood Village.

AUDIENCE PARTICIPATION

There was no audience participation.

EXECUTIVE SESSION

- ~~A. For the discussion of a personnel matter (City Attorney's performance evaluation) pursuant to C.R.S. 24-6-402(4)(f)~~
- ~~B. For the purpose of discussing matters that may be subject to negotiations pursuant to C.R.S. 24-6-402(4)(e)~~

ADJOURNMENT

The meeting adjourned at 7:58 p.m.



Raegan Robb, City Clerk