

**MINUTES**  
**EVANS CITY COUNCIL**  
July 21, 2015

**CALL TO ORDER**

Mayor Pro-Tem Schaffer called the meeting to order at 7:30 p.m.

**PLEDGE**

**ROLL CALL**

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

Absent: Mayor Morris and Council Member Homann

**RECOGNITIONS**

**A. July Yard of the Month**

Mayor Pro-Tem Schaffer presented the Yard of the Month award to Kelli Schaffer, Community Development Technician, on behalf of the recipients, Emmanuel and Graciela Maldonado from 3225 Pheasant Street.

**AUDIENCE PARTICIPATION**

Morris Lester, 3400 Magnolia Street, Evans, addressed City Council to complain about City code enforcement requiring landscaping on a neighboring property in his neighborhood.

**APPROVAL OF AGENDA**

Council Member Clark 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 Special Meeting of July 7, 2015**

**B. Approval of Minutes of the Regular Meeting of July 7, 2015**

**C. Ordinance No. 625-15 ARB Amended Annexation Agreement (2<sup>nd</sup> Reading)**

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

**NEW BUSINESS**

**A. Resolution No. 20-2015 – Highway 34 Coalition**

Aden Hogan, City Manager, explained that several local governments in the region have been discussing the creation of a coalition to address issues related to Highway 34 between Greeley and Loveland. According to Mr. Hogan, other local governments in the area that supported the creation of a coalition, included: Weld County, City of Greeley, City of Loveland, Town of Windsor, and the Town of Johnstown. He explained that these local governments all recognize and value the US 34 corridor as a regional economic development center for our area and would like to form a coalition similar to others in Northern Colorado that exist for highways such as I-25, US 85, and US 287.

Mayor Pro-Tem Schaffer discussed the regional support and the overall importance for a Highway 34 Coalition.

Council Member Clark made the motion, seconded by Council Member Rudy, to approve Resolution 20-2015. The motion passed with all voting in favor thereof.

**B. 36<sup>th</sup> Street Storm Sewer (37<sup>th</sup> Street Storm Sewer Project – Phase II Change Order)**

Dawn Anderson, City Engineer, described Phase II of the 37<sup>th</sup> Street Storm Sewer Project which includes the following improvements on 36<sup>th</sup> Street: storm drainage conveyance, installation of 900 linear feet of new storm sewer pipe, and improvements two detention ponds. According to Ms. Anderson, Phase II is currently being constructed by Coyote Ridge Construction, and this storm sewer work is needed in advance of the Highway 85 Access Control Project at 37<sup>th</sup> Street. She explained that the proposed change order that is being requested would consist of the following:

- Changes incurred on the current phase of the project- \$67,245;
- Addition of approximately 900 linear feet of storm drain pipe as well as surface improvements- \$284,645;
- Improvements to the Idaho Street Detention Pond- \$139,089; and
- Improvements to the Denver Street Detention Pond- \$40,672.

Ms. Anderson reminded the City Council that Phase II was bid per the City's purchasing policies and advertised in the Greeley Tribune, the City website, and the Rocky Mountain Bid System. She explained that Coyote Ridge Construction was awarded Phase I of the project on May 5, 2015 at the base bid cost of \$790,921.

Ms. Anderson explained the history of the project and talked about why staff was recommending that City Council award the 36<sup>th</sup> Street Storm Sewer change order to Coyote Ridge Construction in the amount of \$531,651 and approve a preliminary budget revision in the amount of \$272,359 expense to the Storm Drainage fund and \$259,292 of expense to the CIP Streets fund.

Mayor Pro-Tem Schaffer summarized the decision facing the City Council. The City Council Members talked about the project and reason the improvements in Phase II needed to be funded.

Council Member Clark made the motion, seconded by Council Member Brown, to award the 36<sup>th</sup> Street Storm Sewer change order to Coyote Ridge Construction, and to authorize the Mayor Pro-Tem to sign the change order in the amount of \$531,651 and approve a preliminary budget revision in the amount of \$531,651 expense. The motion passed with all voting in favor thereof.

### **C. Preliminary Budget Revision – Union Colony Pedestrian Crossing**

Ms. Anderson discussed the Union Colony Pedestrian Crossing project to upgrade the current pedestrian crossing flashers from the current Carmanah System to a more current and efficient RRFB System. According to Ms. Anderson, the current Carmanah system has had issues the last several months and continues to cost the City money for maintenance. After further discussion regarding safety correlated with this item it is apparent that the City needs to move to a more reliable system. The installation of the new system has been quoted by the City's current traffic signal maintenance contractor, W.L. Contractors, at \$14,142.

Ms. Anderson explained that a preliminary budget revision would be needed to transfer money from the Traffic Calming Funds, which is used by both the Public Works Department and Police Departments. Ms. Anderson explained how the project would benefit both Departments and explained that Chief Brandt, Evans Police Department, supports the project to upgrade the pedestrian crossing.

In conclusion, Ms. Anderson summarized that staff was recommending that City Council award the Union Colony Pedestrian Crossing upgrade to W.L. Contractors in the amount of \$14,142 and approve a preliminary budget revision from the traffic calming fund balance.

Council Member Rudy asked about what other considerations staff considered to improve the cross walk at this location.

Ms. Anderson discussed several options that were considered by staff to improve this pedestrian crossing.

Council Member Brown made the motion, seconded by Council Member Clark, to award the Union Colony Pedestrian Crossing Upgrade to W.L. Contractors in the amount of \$14,142, and approve a preliminary budget revision in the amount of \$14,142 from the traffic calming funds.

The motion passed with all voting in favor thereof.

#### **D. 2015 Asphalt Patch Bid Award**

Ms. Anderson provided some history about the 2014 contract with Martin Marietta Materials Inc. for asphalt patch bid award. According to Ms. Anderson, the 2014 contract was awarded to Martin Marietta Materials and the City has the right to request costs and award the 2015 contract to Martin Marietta based on successful completion of the 2014 contract.

Staff sent the 2015 service contract and bid schedule to Martin Marietta, but the total bid is over the asphalt patching budget. Ms. Anderson recommended that City Council award the 2015 Asphalt Patch Service Contract to Martin Marietta Materials, Inc. with the amount not to exceed \$75,000.

Mayor Pro-Tem Schaffer clarified the difference between the total bid amount of \$118,009.20 by Martin Marietta and the limit of the \$75,000 for the asphalt patching budget.

Ms. Anderson discussed the \$75,000 in funding for the project and the potential to complete more work on the project at the end of 2015, if the weather cooperates.

Council Member Clark made the motion, seconded by Council Member Brown, to award the 2015 Asphalt Patch Service Contract to Martin Marietta Materials, Inc. and to authorize the Mayor Pro-Tem to sign the agreement in the amount not to exceed \$75,000. The motion passed with all voting in favor thereof.

## **REPORTS**

### **A. City Manager**

Mr. Hogan referred the City Council Members to the information in the Monitoring Report and talked about the following events involving the City:

- the ribbon cutting ceremony for the Prairie View Middle School in Evans on July 16<sup>th</sup>;

- an update addressing complaints raised by the developer of the Driftwood Plaza and the review process by City staff (Attachment A);
- the 37<sup>th</sup> Street Storm Sewer Drainage Project with Coyote Ridge Construction which is currently ahead of schedule and under-budget;
- National Night Out scheduled for the evening of Tuesday, August 4<sup>th</sup>;
- the success of the annual City Golf Tournament and family movie nights—both organized by the City Recreational Department;
- updates in the Community Development Office, including: Kelli Schaffer being certified as a building permit technician, the birth of Zach Ratkai's baby boy, and the building statistics in the monitoring report;
- the Evans Farmer's Market going on every Thursday afternoon, beginning at 4:00 p.m.; and
- the City contracting with an Economic Development Consultant to serve as a business ombudsman to provide assistance to Evans businesses.

## **B. City Attorney**

Scott Krob, City Attorney, provided a brief update concerning an ongoing dispute concerning Equivalent Residential Units (EQRs) with Nolan Ulmer.

Mr. Krob explained that there was no update concerning a recent request from Scott Ehrlich to receive a refund for City Impact Fees.

Lastly, Mr. Krob referred to an ongoing claim involving a slip and fall accident in a City parking lot.

## **AUDIENCE PARTICIPATION**

There was no audience participation.

## **EXECUTIVE SESSION**

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

Council Member Clark made the motion, seconded by Council Member Rudy to go into executive session for the discussion of matterS subject to negotiations, pursuant to C.R.S. 24-6-402(4)(e). The motion passed with all voting in favor thereof.

At 7:57 p.m. the City Council adjourned into executive session.

The executive session concluded at 8:09 p.m.

**ADJOURNMENT**

The regular meeting adjourned at 8:10 p.m.

  
Raegan Robb, City Clerk