

MINUTES
EVANS CITY COUNCIL
July 7, 2015

CALL TO ORDER

Mayor Morris called the meeting to order at 7:31 p.m.

PLEDGE

ROLL CALL

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

RECOGNITIONS

A. Flood Recovery Task Force

Mayor Morris spoke about the formation of the Flood Recovery Task Force and the important contribution of the Task Force members to the City of Evans. Mayor Morris distributed awards to the members of the Task Force and thanked them for their service.

APPOINTMENTS

A. Evans Zoning Board of Appeals Appointment

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Homann, to appoint Mr. Daniel Usery to the City of Evans Zoning Board of Appeals for a term to expire on July 7, 2020.

The motion passed with all voting in favor thereof.

B. Evans Planning Commission Appointment

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy to appoint Mr. Billy Castillo to the City of Evans Planning Commission for a term to expire on July 7, 2020.

The motion passed with all voting in favor thereof.

AUDIENCE PARTICIPATION

Dawn O'Keefe, from the Nevilles Crossing sub-division, addressed City Council to express concerns about her building permit that expired with the City. Ms. O'Keefe explained her situation that caused her building permit to expire.

Evans City Council

July 7, 2015

Page 2

Mayor Morris asked City staff to follow-up with Ms. O'Keefe.

Dolores Hagel, 3600 Montrose Street, Evans, addressed City Council to express concerns about fireworks in Evans and the negative impact that fireworks may have on animals, war veterans, and refugees in the community. She asked about what types of fireworks the City allows and how the regulations are communicated with residents and made some suggestions to mitigate illegal fireworks during the July 4th weekend.

Mayor Morris agreed that the fireworks were problematic over the July 4th weekend.

Aden Hogan, City Manager explained that the fireworks ordinance was on the website and discussed problems with illegal fireworks sold outside of city limits. Mr. Hogan also suggested that the Citizen's Police Task Force address this issue and asked Ms. Hagel to follow-up with City staff.

Bill Sheel, 27 Dos Rios, Greeley, addressed Evans City Council to discuss frustration with his residential development in Driftwood Plaza, which was approved by City Council on July 1, 2014. Mr. Sheel discussed the City's requirements for this project and explained that there have been several obstacles to getting the project approved.

Wynona Sheel, 27 Dos Rios, Greeley, discussed her own frustration with getting the Driftwood Plaza development completed. Ms. Sheel talked about the benefits that the development will bring to the City and spoke about her frustrations with the project being delayed.

Ms. Sheel also discussed problems with the recent weeds and mosquitos around the City. She asked who to contact about mosquito spraying and asked the City to mow their own weeds if the City is citing property owners for weeds.

Mayor Morris thanked her for her time, and talked about the schedule for the Driftwood Plaza development.

APPROVAL OF AGENDA

Raegan Robb, City Clerk, amended the agenda to move agenda item 8.B concerning an agreement with Avi Rocklin and the City Code Fee, to item 9.D under New Business.

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

CONSENT AGENDA

B. Approval of Minutes of the Regular Meeting of June 15, 2015

~~C. Code Fee Agreement with Avi Roeklin~~

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy to approve the Consent Agenda, as amended.

The motion passed with all voting in favor thereof.

NEW BUSINESS

A. Public Hearing- Ordinance No. 625-15 ARB Amended Annexation Agreement

Mayor Morris opened the public hearing at 7:58 p.m.

Fred Starr, Evans Public Works Director, explained that the amendment annexation under Ordinance No. 625-15 changes a previous annexation originally approved for the Great Western Ethanol LLC facility in 2004, and subsequently modified in 2007.

Mr. Starr discussed the reasons for the amendment since the project proposed by ARB is different than the ethanol plant. He referred to the site development master plan, which has been used as a conceptual plan and attached to the Ordinance under Exhibit B.

Mayor Morris asked about the agreement requiring road maintenance for the access roads that will be used for the project.

Mr. Starr explained that the agreement requires road maintenance by ARB, but will not require that the section of road be paved until future development in the area requires paving.

Mayor Morris asked how the City will ensure that road maintenance occurs.

Mr. Starr explained that the City engineer will complete site visits to ensure that the road is being maintained on a regular basis according to the agreement.

Adam Bedard, Vice President, ARB Midstream, discussed the benefits of the project and asked Council to support the project through the approval of the annexation request.

Mayor Morris thanked Mr. Bedard for their patience with the phases of the project and asked for any testimony in support or against the annexation agreement—there was none.

Mayor Morris closed the public hearing at 8:05 p.m. and discussed his support for the annexation agreement and the ARB Midstream project.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to adopt the annexation agreement and Ordinance No. 625-15 on first reading. The motion passed with all voting in favor thereof.

B. Resolution No. 19-2015 - Authorizing the Mayor's Signature on a Grant Contract with CDOT for the US Hwy 85 Access Control at 31st Street Project

Mr. Starr, explained that the City applied for federal STP-METRO grant funds through the North Front Range Metropolitan Planning Organization (NFRMPO) for the design and construction of access control improvements at US HWY 85, the West Service Road, and 31st Street. Mr. Starr explained why the project was now being funded when it was originally approved in 2012 and asked for Council to approve the grant contract.

Mayor Morris asked if this project was part of the 2015 budget and clarified that these were the grant funds received through the NFRMPO.

Mr. Starr confirmed that these were funds received through the NFRMPO and were part of the 2015 budget.

Mayor Morris discussed his support for the project.

Council Member Clark made the motion, seconded by Council Member Rudy, to adopt Resolution No. 19-2015. The motion passed with all voting in favor thereof.

C. Adoption of Evans Riverside Area Master Plan

Sheryl Trent, City Economic Development Director, explained that the City applied to the Department of Local Affairs (DOLA) to develop a master plan for the Riverside area of Evans following the Flood Disaster of 2013. Ms. Trent discussed the history of the City of Evans and the early growth in the east side of the City. Lastly, she explained that the master plan was not unanimously adopted by the Flood Task Force due to some different opinions on the Task Force.

Ms. Trent introduced Matrix Design Group and talked about all of the work that has gone into the Riverside Area Master Plan by Matrix and the Flood Recovery Task Force. She introduced Bill Cunningham, with Ricker Cunningham who completed the economic study and why this was an important component of the master plan.

Evans City Council

July 7, 2015

Page 5

Ms. Trent also introduced Mark Landess, from Matrix, who discussed the following components of the Master Plan: the project boundaries, the original project goals, the process, analysis, public outreach, plan alternatives, the preferred plan, and the final master plan document.

Mr. Cunningham spoke to City Council about the market and economic analysis of the Riverside Area, ideal conditions for revitalization, and the regional market in relation to the East Evans neighborhood.

Mr. Landess, discussed the public input process achieved through a survey that was conducted, comment cards, and several open forums where the public provided input. He summarized the factors that people liked most and least about the area. He also discussed the plan alternatives that were considered in the Riverside area and reviewed the features of the preferred vision. Mark Landess summarized the plan objectives to address each core issue of the project: implementation, financing techniques, and summarized the implementation by Matrix. Lastly, Mr. Landess summarized the catalyst areas identified in the master plan and discussed reinvestment challenges and reinvestment truths in relation to this area.

Mayor Morris expressed his support for land use planning and the value of the Evans Riverside Master Plan for the east side of the City.

Mayor Morris asked for any public comments regarding the Master Plan—there was none.

Council Member Homann asked why the Task Force was unable to develop a consensus on the Master Plan.

Ms. Trent explained that the Task Force had varying concerns about four areas of the master plan, including: sidewalks, an amphitheater in City Park, affordable housing, and residential commercial (RC) zoning in the area. She discussed the definition of RC zoning and the possible need to update the definition of RC zoning in City code.

Mayor Morris discussed the definition of affordable housing and the challenges for different communities to provide affordable housing. Mayor Morris also talked about the issue of sidewalks in the East Evans Neighborhood.

Laura Speer, Flood Recovery Task Force member, addressed City Council to explain why the members of the task force did not unanimously adopt the Master Plan. Ms. Speer explained that the Task Force did not have a chance to review the final Master Plan from Matrix.

The City Council Members discussed their support for the Master Plan.

Mayor Morris asked for a motion.

Council Member Clark made the motion, seconded by Council member Homann, to adopt the Evans Riverside Area Master Plan. The motion passed with all voting in favor thereof.

D. Code Fee Agreement with Avi Rocklin

Scott Krob, City Attorney, discussed the code update project and the need for a separate contract with Avi Rocklin for her services beyond her duties as the municipal prosecuting attorney.

Mayor Morris discussed his support for a separate contract with Ms. Rocklin.

Council Member Clark made the motion, seconded by Council Member Rudy, to approve and authorizing the mayor's signature on the code fee agreement with Avi Rocklin. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan talked about the recent mosquito problems in Weld County and provided an update about mosquito spraying in the City and mitigating mosquito-infested areas near standing water.

B. City Attorney

Scott Krob, City Attorney, stated that he would save his comments for the executive session.

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)**

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark to go into executive session for the discussion of a personnel matter, pursuant to C.R.S. 24-6-402(4)(f), and for the discussion of matters subject to negotiations,

Evans City Council

July 7, 2015

Page 7

pursuant to C.R.S. 24-6-402(4)(e).

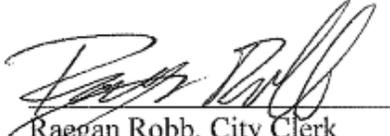
The motion passed with all voting in favor thereof.

At 9:23 p.m. the City Council adjourned into executive session.

The executive session concluded at 10:43 p.m.

ADJOURNMENT

The regular meeting adjourned at 10:43 p.m.



Raegan Robb, City Clerk