

MINUTES
EVANS CITY COUNCIL
April 5, 2016

CALL TO ORDER

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

PLEDGE

ROLL CALL

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

PROCLAMATIONS

A. Fair Housing Month

Mayor Morris read the proclamation for Fair Housing Month.

B. Victims' Rights Week

Mayor Morris read the proclamation for Victims' Rights Week and Mayor Pro-Tem Schaffer presented it to members of the Weld County Victim Services Unit.

C. National Service Day for Weld County Retired & Senior Volunteer Program

Mayor Morris read the proclamation for the Weld County Retired & Senior Volunteer Program's National Service Day and Mayor Pro-Tem Schaffer presented it to members of the organization.

AUDIENCE PARTICIPATION

Mr. Jerry Long, from 4303 Pennyroyal, Evans, spoke to City Council about his concerns with road conditions in his neighborhood and distributed a handout to the City Council Members.

APPROVAL OF AGENDA

Mayor Pro-Tem Schaffer 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 Regular Meeting of March 15, 2016

Mayor Pro-Tem Schaffer 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. Public Hearing – Bella Vista Development

i. Ordinance No. 649-16 – Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning (First Reading)

Mayor Morris opened the public hearing.

Sean Wheeler, City Planner, explained that the applicant seeks approval for redevelopment of the Bella Vista Manufactured Home Park as a Planned Unit Development (PUD) for a new manufactured home community. This process requires City approval of a request to rezone the property to a PUD, approval of a PUD Plan and approval of a subdivision plat. For historic reference, the Bella Vista manufactured home park sustained significant damage during the 2013 flood and all of the homes deemed uninhabitable.

The subject property is located at the northeast corner of Trinidad and 37th Streets in east Evans and it is approximately 5.9 acres in size. The proposed development includes spaces for 52 manufactured homes along with areas for guest parking and open space. The plan also includes a revised layout for the homes, a new interior circulation plan, updated utilities, landscaping and on-site detention for drainage. Access is proposed off both Trinidad and 37th Streets.

Mr. Wheeler explained that the Planning Commission considered the request at a public hearing on March 22, 2016. Planning Staff will provide a synopsis of their discussion for the City Council at the public hearing. The Planning Commission voted 5 to 0 in favor of approval of the PUD Rezoning and the Subdivision Plat.

Lastly, Mr. Wheeler entered the conditions of approval into the record, which were based on the Development Review Team assessment and the requirements of the Municipal Code for the application:

1. All representations of the applicant are considered conditions of approval unless modified by the City.
2. The applicant shall submit a PUD Final Plat and Final PUD Plan for approval prior to development of the site.
3. The applicant shall comply with all requirements of the City Engineer related to road and other infrastructure improvements including the submittal of final construction plans and details; a final opinion of costs and schedule of improvements, and all other elements determined appropriate by the City Engineer prior to development of the site.

EVANS CITY COUNCIL

April 5, 2016

Page 3

4. The applicant shall provide a Final Drainage Plan and Final Traffic Memo to be reviewed and approved by the City Engineer prior to development of the site.

Mayor Morris closed the public hearing and asked for comments from Council.

Council Member Clark made the motion, seconded by Council Member Finn, to approve Ordinance No. 649-16 – Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning on first reading. The motion passed with all voting in favor thereof.

ii. Bella Vista Subdivision – Preliminary and Final Plat

Council Member Clark made the motion, seconded by Council Member Homann to approve the Bella Vista Manufactured Home Park PUD Plan and rezoning application, along with approval of the Bella Vista PUD Plat on presentation to Council for signature, subject to conditions of approval 1 through 4 as recommended. The motion passed with all voting in favor thereof.

B. Public Hearing – Ordinance No. 650-16 – Amending the Planned Unit Development (PUD) for Vintage Villas (First Reading)

Mayor Morris opened the public hearing.

Fred Starr, Public Works and Community Development Director, explained that the applicant is requesting an Amendment of the Vintage Villas Planned Unit Development Plat for the purpose of reducing the number of platted lots from the originally approved 52 lots to 49 lots. This re-platting will allow for a reconfiguration of lots to provide more separation between lots and reduce the total number of platted lots by three.

Mr. Starr explained that the request to amend the original Vintage Villas P.U.D. Subdivision Final Plat was originally approved by the Evans Planning Commission on July 8, 2003 and by the City Council on August 5, 2003.

The Planning commission voted 5-0 to recommend that the City Council approved the proposed amendment to the Vintage Villas Planned Unit development Plat as proposed.

Mayor Morris closed the public hearing and asked for comments from City Council.

Council Member Homann made the motion, seconded by Council Member Rudy to approve Ordinance No. 650-16 – amending the Planned Unit Development (PUD) for Vintage Villas on first reading. The motion passed with all voting in favor thereof.

C. Public Hearing – Ordinance No. 651-16 – Amending Ordinance No. 632-15 and Appropriating Sum of Revenues and Fund Balances for the Amended 2016 City of Evans Budget (First Reading)

Mayor Morris opened the public hearing.

Jacque Troudt, CPA, Finance Manager, spoke about the requirements of amending the adopted budget at quarterly intervals throughout the year in order to facilitate a flexible and accurate City budget. In this case, the revenues, expenditures (or expenses in enterprise funds) and transfers have been previously approved by the City Council and staff action is usually taken on these items immediately following Council's direction.

According to Ms. Troudt, Ordinance No. 651-16 is the first revision to the 2016 Operating and Capital Budget. The original 2016 Budget was approved by Ordinance No. 632-15 on October 20th 2015.

The Ordinance would make changes to revenues, expenditures, and transfers according to each respective fund. Ms. Troudt summarized the following items in the first budget revision. She explained that many of the items included are carry forward items, which were related to a specific project(s) appropriated for in the 2015 budget, but were not finished in that fiscal year. Since appropriations lapse, the budget for these items needs to be appropriated (carried forward) in 2016.

According to Ms. Troudt, the General Fund includes the following proposed revision items:

Item 1.1 is for completion of the Laserfiche document retention system for \$7,500.

Item 1.2 is for completion of the Cemetery Software/GIS Project for 5,000.

Item 1.3 will spend \$6,000 of Traffic Calming Funds to install LED flashing stop signs, and resident communication signs.

Item 1.4 will carry forward \$15,000 for Police Officers signing bonuses.

Item 1.5 is for the completion of the budgeting and financial reporting software for \$48,350.

Item 1.6, 1.7 and 1.8 represent grant costs for the Sediment Transport Study, South Platte Restoration Master Plan, and the Watershed Coordinator. The associated expenditures for these projects are \$144,783, \$1,918 and \$78,568, respectively.

EVANS CITY COUNCIL

April 5, 2016

Page 5

Item 1.8 is for the purchase of 2 single axle dump trucks, \$350,000.

Item 1.9 represents completion of the Prairie View Drive Landscaping project for \$417,400 and the US 85 Entryway & Landscaping project for \$405,786.

One-time funding items shown in 1.21 total \$29,800. The chart below outlines the items included in this list.

Vehicle Safety Equipment	\$3,800
Public Works Internet	\$10,000
Uninterruptable Power Supplies	\$5,500
Storefront Improvement Grants	\$10,500

The Cemetery perpetual care fund includes a carry forward for the construction of a maintenance shed for \$75,000, item 1.10.

The Street Impact fund includes carry forward of budget for the completion of construction on the 37th Street Access Control, 35th Avenue widening and 65th Avenue widening, see 1.12.

The Park Impact fund includes an expenditure for completing the lighting project at Renaissance Park for \$110,000, see 1.11.

The Conservation Trust Fund includes funds to replace the playground equipment at City Park and Village Park, see item 1.13, for a total of \$82,000.

The CIP – Streets fund includes carryforward of road projects at item 1.14. These include:

- Flood Street repair, \$260,073
- US 85 Access Control at 31st and 37th Streets, \$917,838
- Highway 85 Improvements, \$13,650
- Street lighting, \$50,000
- Bridge repair, \$24,000
- 35th Avenue widening- 37th to Prairie View, \$1,379,490
- 65th Avenue widening, \$47,500
- 85 Access Control at 31st Street, \$578,000
- Evans Ditch Bike Path, \$118,888

The CIP – Parks fund includes an item at 1.15 for the carryover of design budget for the renovation of Riverside Park, for \$359,142.

EVANS CITY COUNCIL

April 5, 2016

Page 6

Revision items for the Water fund include:

1.16 increasing expense by \$61,882 to complete the utility billing software replacement. The expenses for this software upgrade will be split among the water, wastewater and sewer funds, based upon respective revenue.

1.17 increasing expense by \$11,000 for the Sensus server replacements, which will assist the new utility billing software.

1.18 increasing expense by \$3,000 for water hydrant testing.

1.19 increasing expense and related loan revenue by \$126,384 to complete the water meter radio replacement program.

1.24 increasing expense by \$97,950 and related grant revenue of \$87,184 for the Water Utility Master Plan.

The Waste Water fund includes the following revision items:

1.16 increasing expense by \$20,333 to complete the utility billing software replacement. The expenses for this software upgrade will be split among the water, wastewater and sewer funds, based upon respective revenue.

1.20 increasing expense by \$50,500 for the purchase of a 6” pump and related hoses

1.25 includes design costs for the new Wastewater Treatment Plant of \$1,131,289 and grant revenue of \$1,650,272.

1.26 represents anticipated FEMA revenue of \$508,873 for costs incurred permanently repairing the Wastewater Treatment Facility.

The Storm Drainage fund will also have an increase in expenses for new utility billing software update at 1.16, which will cost the Storm fund approximately \$6,188. Additionally, items 1.22 and 1.23 show the 2015 fund carryover projects of the 43rd and Central Storm Drain, and the 29th and Anchor Inlet for \$141,009 and \$75,000, respectively. Also included is \$141,009 of grant revenue and expense for item 1.6, Stormwater Management Plan.

Ms. Troutd explained that the City Finance Committee reviewed the proposed budget revision at their last meeting and did not recommend any changes.

Attachment “A” identifies the detailed changes for the proposed revisions to the 2016 Budget. The details are also summarized in the heading of the appropriation ordinance.

EVANS CITY COUNCIL

April 5, 2016

Page 7

Attachment “B” includes the Beginning Balance by Fund based on preliminary audited balances. Final audited balances will be presented by our external auditors by the end of May. The preliminary audited 2015 ending balance of all funds of \$23,162,939 is higher than the 2015 adopted budget projection (including the impact of the final budget revision of 2015) of \$13,933,601. The majority of the difference is in the General Fund (+\$4,573,693), Street Impact Fund (+\$891,356), CIP- Streets fund (+\$944,543), and the Water Fund (+\$1,118,991). The General Fund variance was due to higher than projected revenues and budget savings. The Street Impact Fund, CIP- Streets Fund, and Water Funds budgeted for capital projects in 2015 which were not completed and are being carried forward to 2016.

Mayor Morris closed the public hearing and asked for comments from City Council.

The Council Members discussed their support for the budget amendment.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Finn to adopt Ordinance No. 651-16 – amending Ordinance No. 632-15 and appropriating sum of revenues and fund balances for the amended 2016 City of Evans Budget on first reading. The motion passed with all voting in favor thereof.

D. Public Hearing – Ordinance No. 652-16 Approving a Loan from the Colorado Water Resources and Power Development Authority (CWRPDA) in the Principal Amount not to Exceed \$41,429,000 to Proceed with Improvements to the City Waste Water Treatment Facilities (First Reading)

Mayor Morris opened the public hearing.

Keith Meyers, PE, Ditesco, and Jessica Gonifas, Deputy City Manager presented Ordinance No. 652-16 – approving a Loan from the Colorado Water Resources and Power Development Authority (CWRPDA) in the principal amount not to exceed \$41,429,000 to be used to proceed with Improvements to the City Waste Water Treatment Facilities.

Council Member Homann asked about the current plants that are at capacity and how the future plant will provide extra capacity. Mr. Meyers responded to Council Member Homann’s questions.

Mayor Morris asked about the ability to expand the future plant,

Mayor Morris asked for any testimony in support or opposed to the Ordinance—there was none.

Mayor Morris closed the public hearing at 8:52 p.m.

MPT discussed the magnitude of this project and discussed his support.

Mayor Morris discussed water rates and his support for the Ordinance.

Council Member Clark made the motion, seconded by Council Member Rudy, to approve Ordinance No. 652-16–Approving a Loan from the Colorado Water Resources and Power Development Authority (CWRPDA) in the Principal Amount not to Exceed \$41,429,000 to Proceed with Improvements to the City Waste Water Treatment Facilities (First Reading).

The motion passed with all voting in favor thereof.

E. Resolution No. 18-2016 – Wastewater Rate Adjustment

Ms. Gonifas discussed the Resolution and the need for wastewater rate adjustments for the City of Evans.

Mayor Morris spoke about the need to increase wastewater rates, but also spoke to the need to raise the awareness of residents about when and why the rates will be increasing.

Council Member Rudy made the motion, seconded by Council Member Homann, to adopt Resolution No. 18-2016 – Wastewater Rate Adjustment.

The motion passed with all voting in favor thereof.

A. Resolution No. 19-2016 – Approval of South Platte River Recreation Corridor Master Plan

Mr. Chad Reishel, Evans City Planner, discussed the need for Resolution No. 19-2016 – Approval of South Platte River Recreation Corridor Master Plan.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Finn to adopt Resolution No. 19-2016 – Approval of the South Platte River Recreation Corridor Master Plan. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan, City Manager, spoke to the important decision reached by the Council to

EVANS CITY COUNCIL

April 5, 2016

Page 9

approving a loan from the Colorado Water Resources and Power Development Authority (CWRPDA) for improvements to the City Waste Water Treatment Facilities.

Mr. Hogan referred the Council to the handout concerning meter reading and spoke about the success of the program for the program. He specifically commended Joni Crist, City Utility Billing Specialist, who presented at a national conference for Sensus Software.

Lastly, he talked about, how the City's Emergency Manger, David Burns, is being utilized for regional Emergency Preparedness training and tracking the emergency incidents in 2016.

B. City Attorney

Mr. Krob updated the Council on the Dirks Property, which was under a court order to be cleaned up by the end of March 2016, but the owner had failed to comply. Mr. Krob also spoke about the recent not guilty verdict for Tom Fallis, which was consistent with the evidence collected by the Evans Police Department.

AUDIENCE PARTICIPATION

There was no audience participation.

EXECUTIVE SESSION

A. To Determine Positions Relative to Matters that May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators, Pursuant to C.R.S. 24-6-402(4)(e)

Mayor Pro-Tem Schaffer, made the motion, seconded by Council Member Clark, To adjourn into executive session in order to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e). The motion passed with all voting in favor thereof.

The Council adjourned into executive session.

The executive session concluded at 8:39 p.m.

Mr. Krob noted for the record that the contents of the executive session were subject to attorney client privilege and within the scope of the state statutes.

EVANS CITY COUNCIL

April 5, 2016

Page 10

ADJOURNMENT

The regular meeting adjourned at 9:40 p.m.



Raegan Robb, City Clerk