



MINUTES

City Council Regular Meeting
August 18, 2020 - 7:00 PM

1. CALL TO ORDER

Mayor Rudy called the meeting to order at 7:01 p.m.

2. PLEDGE

3. ROLL CALL

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|----------------|-----------------|
| Mayor: | Brian Rudy |
| Mayor Pro-Tem: | Mark Clark |
| Council: | Laura Speer |
| | Alicia Johnson |
| | Fred Neal |
| | Amanda Castle |
| | Tammy Mortenson |

4. AUDIENCE PARTICIPATION

There was no audience participation

5. APPROVAL OF AGENDA

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

6. CONSENT AGENDA

- A. Approval of the August 3, 2020 City Council Meeting Minutes
- B. Consideration of Ordinance Number 723-20 Arrowhead Annexation and Zoning (2nd Reading)

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

7. NEW BUSINESS

- A. Consideration of Water and Sewer Board Member Appointments

Mr. Becklenberg informed Council Members that there are two vacancies on the Water and Sewer Board, and there are now two very qualified applicants, Michael Thuener and Brett Bloom. Mr. Becklenberg provided a brief description of both Mr. Thuener's and Mr. Bloom's credentials, and submitted them both as applicants to the Council for the two vacancies on the Water and Sewer Board. Mr. Thuener

was not present to accept his certificate. Mr. Bloom was present to accept his certificate.

Mayor Pro-Tem Clark made the motion, seconded by Council Member Mortenson to appoint Michael Thuener to the Evans Water & Sewer Board for a term to expire on June 30, 2023, and appoint Brett Bloom to the Evans Water & Sewer Board for a term to expire on June 30, 2023. The motion passed with all voting in favor thereof.

B. Consideration of Approval of the Development Agreement for Quality Lube Expansion Located at 3303 23rd Avenue

Mr. Becklenberg asked Community Development Director, Anne B. Johnson to summarize the Development Agreement.

Mrs. Johnson provided an overview of Quality Lube's Development Agreement and advised that things have been moving along quickly.

Mayor Pro-Tem Clark and Council Member Neal expressed that they were both in favor of this project.

Council Member Speer asked if the two-year warranty period was the time frame in which Quality Lube had to begin developing before they had to come back to the table.

Mrs. Johnson clarified that Evans could always amend the warranty period, but that Quality Lube anticipated beginning their project this week.

Council Member Castle made the motion, seconded by Council Member Neal to Approve the Development Agreement for the Quality Lube expansion and authorize the Mayor to sign the Development Agreement. The motion passed with all others voting in favor thereof.

C. Consideration of Approval of the Development Agreement for Peerless Tires to be Located at the Northwest Corner of 37th Street and St. Vrain Street

Mr. Becklenberg turned the meeting over to Community Development Director, Anne B. Johnson.

Mrs. Johnson provided an overview of the project.

Council Member Neal advised that he had mixed feelings about this development, because some employees at the Greeley Peerless Tires are concerned about losing business and employment. However, he is very pleased and excited about the project coming to Evans and the fact that they will have an indoor bay to work in.

Mrs. Johnson clarified that there will be both an indoor and outdoor work area.

Council Member Mortenson express her concern in regards the west side of the development not having a fence. She wants to ensure that any stored items will not cause an eye sore for the traffic on 11th Avenue.

Mrs. Johnson advise that any outdoor storage will need to be screened from view and that a majority of the storage will be indoors.

Council Member Speer expressed her concern about the noise level for the residents to the North of the project.

Mrs. Johnson advise during the land use process property owners were notified and had an opportunity to provide comments, but no comments were provided. However, there will be fencing and landscaping for screening purposes, and the hours of operation would fall between 8 a.m. to 6 p.m. Monday through Friday and 8 a.m. to 3 p.m. on Saturday.

Council Member Castle made the motion, seconded by Council Member Neal to Approve the Development Agreement for the Peerless Tires facility and authorize the Mayor to sign the Development Agreement. The motion passed with all others voting in favor thereof.

D. Consideration of Award of Bid for the 37th Street Concrete Replacement and Mill and Overlay Project

Mr. Becklenberg informed Council that the project extends from 23rd Avenue to the railroad tracks East of Highway 85. The project includes more than just an overlay, and will also include extensive concrete work, milling and reconstruction of several parts of the road. The budget had originally been \$1.8 Million. However, based on the design and geotechnical analysis that has occurred, the team is recommending that more extensive work be done which drives the cost up to \$2.4 Million. The project cost could be covered by other project savings the City has received, if Council chooses to make such investment. Mr. Becklenberg turned the meeting over to the City Engineer, Mark Oberschmidt.

Mr. Oberschmidt provided an overview of the planning and bidding process.

Project Manager, Bill Renz, advised Council that he is confident in recommending Asphalt Specialties be awarded the bid. Mr. Renz believes they are the best fit for the project based on previous projects, references, bid, and time constraints.

Mayor Pro-Tem Clark is pleased that the City will be providing a quality product to our citizens. However, he is concerned that the expected completion date may not be attainable.

Mr. Renz advised that he is fairly confident that it will be completed by the end of this year based on the contractor's workforce and their tonnages per day and some anticipated weather impacts that may occur

Council Member Speer asked if this bid also includes painting.

Mr. Renz confirmed that painting is included.

Mayor Rudy asked if there will ever be a time that two-way traffic will not be provided to the citizens.

Mr. Oberschmidt advised that this project should always allow for two-way traffic.

Council Member Speer asked if the mill and overlay goes down to the subbase.

Mr. Renz advised that the mill and overlay portion will only go down two inches, but the areas that require reconstruction will go down to the subbase.

Council Member Johnson asked for clarification on the sequence of the project.

Mr. Renz confirmed that the curb and gutter portion would be done first, followed by any full reconstruction work, and finally the mill and overlay will be done.

Council Member Neal asked if in the test sampling there was in fact a need for geotextile.

Mr. Renz advised that there is a fair amount of transverse cracking and the geotextile is used to bridge those cracks, so they will be using it accordingly.

Council Member Castle expressed her concern with the project interfering with school drop off and pick up.

Mayor Pro-Tem Clark made the motion, seconded by Council Member Johnson to Award the 37th Street Overlay Project to Asphalt Specialties and to authorize the Mayor's signature on an agreement in the amount of \$2,112,665.85 with a not to exceed amount of \$2,323,933. The motion passed with all others voting in favor thereof.

E. Consideration of Award of Bid for 23rd Avenue Extension Project

Mr. Becklenberg asked the City Engineer, Mark Oberschmidt to provide a recap of the project, bid summary and recommendations.

Mr. Oberschmidt provided an overview of the bid selection process and provided a recommendation to award the bid to Milestone Companies, LLC.

Mayor Pro-Tem Clark asked if Mr. Oberschmidt felt confident that Milestone Companies would be able to complete the project even though they haven't done much work within the area.

Mr. Oberschmidt confirmed his confidence in Milestone Companies.

Council Member Speer commended staff on doing their due diligence and verifying references.

Council Member Mortenson made the motion, seconded by Council Member Neal to award the 23rd Avenue Construction Project to Milestone Companies and to authorize the Mayor's signature on an agreement in the amount of \$627,349.55 with a not to exceed amount of \$690,085, which includes a contingency. The motion passed with all others voting in favor thereof.

F. Consideration of Payment for DCP Midstream Pipeline Relocation as Part of the 47th Avenue Widening Project

Mr. Becklenberg advised Council that this was a unique circumstance surrounding the current 47th Avenue Widening Project, and asked City Engineer, Mark Oberschmidt to discuss the need for this project.

Mr. Oberschmidt advised Council that DCP Midstream not only has underground piping, but also has some surface features. On 47th Avenue specifically, there is a pipe above ground that interferes with the location in which the City wants to place a ten-foot sidewalk. After reaching out to DCP Midstream, it was determined that they would be willing to relocate the pipe under the conditions that they choose the contractor and that Evans handles the bill for a total of \$104,000.00.

Council Member Speer asked if there were any environmental issues or road closures involved with moving this pipe.

Mr. Oberschmidt advised that there were none, and that part of the cost ensures the relocation is done safely.

Council Member Johnson made the motion, seconded by Council Member Neal to approve the payment to DCP Midstream to relocate the existing gas pipeline out of the new 47th Avenue ROW and to authorize the City Manager's approval of a purchase order and invoice in an amount not to exceed \$104,024.85. The motion passed with all others voting in favor thereof.

G. Resolution Number 27-2020 – A Resolution Approving Amendment #2 to the Contract For Co-Responder Services Program

Mr. Becklenberg provided an overview of the agenda item. He asked the Chief of Police, Rick Brandt, to provide Council with background on the co-responder program, where behavioral health professionals from North Front Range Behavioral Health respond along side police officers when services are warranted, and speak to the contract extension.

Chief Brandt advised Council that this is our third year participating in the pilot program and are currently fully staffed with co-responders; Greeley has two full-time and Evans have two-full time co-Responders and one floater with coverage seven days per week. Over the last three years the program appears to be quite successful, utilization has increased and gets better over time. This contract is an annual renewal of the program.

Council Member Johnson expressed her excitement to renew this program.

Mayor Pro-Tem Clark made the motion, seconded by Council Member Castle to adopt Resolution No. 27-2020. The motion passed with all others voting in favor thereof.

8. REPORTS

A. City Manager

Mr. Becklenberg advised Council that the FEMA Flood map has been updated, and reflects an effect on the Riverside neighborhoods. There have been notices sent out to residents that will be affected in order for them to take the take any necessary actions. Mr. Becklenberg wanted to highlight the fact that the City's Maintenance Staff has been jetting a good portion of the storm water sewer lines. We will also begin grading some of the City's alleyways with a heavy focus on neighborhoods East of Highway 85. Finally, over the last few weeks the City has been focusing on removing trash and debris throughout the right-of-ways of the City roads.

B. City Attorney

City Attorney, Scotty Krob, had nothing to report.

9. AUDIENCE PARTICIPATION

There was no audience participation

10. EXECUTIVE SESSION

- A. To Confer with the City Attorney regarding the possible sale or transfer of property pursuant to 24-6-402(4)(a) and (b), C.R.S.

Mayor Pro-Tem Clark made the motion, seconded by Council Member Castle to adjourn into executive session at 8:13 p.m. to Confer with the City Attorney Regarding Possible Purchase, Acquisition, or Transfer of Property, Pursuant to Section 24-6-402(4)(a) and (b), C.R.S. The motion passed with all voting in favor thereof.

The meeting reconvened at 8:46 p.m.

Mr. Krob noted for the record that the executive session that Council concluded was within the scope of the statute and that he was present for the duration of the discussion, so the discussion is subject to the attorney client privilege.

There was no action following the Executive Session.

11. ADJOURNMENT

The meeting was adjourned at 8:48 p.m.


Julie A. Jader (Sep 3, 2020 11:52 MDT)

CITY OF EVANS – MISSION STATEMENT

“To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community.”

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, persons with disabilities. Persons needing assistance shall contact the Safety & Risk Management Manager at the City of Evans. Please provide three to five business day’s advance notice so we can adequately meet your needs.

8.18.2020 Approved City Council Meeting Minutes

Final Audit Report

2020-09-03

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