

MINUTES
EVANS CITY COUNCIL
May 17, 2016

CALL TO ORDER

PLEDGE

ROLL CALL

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

Absent: Council Member Schaffer

PROCLAMATIONS

A. National Police Week

Mayor Morris read the proclamation celebrating National Police Week and presented it to Chief Rick Brandt, Commander Chad Harding, and Commander Jason Phipps, from the Evans Police Department.

Chief Brandt thanked the City Council and reminded them about the Fallen Officers Memorial Event on Thursday, May 19th at 7:00 p.m.

B. National Public Works Week

Mayor Morris read the proclamation celebrating National Public Works Week and presented the proclamation Fred Starr, City Public Works Director.

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

Mayor Pro-Tem Rudy 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

A. Approval of Minutes of the Regular Meeting of May 3, 2016

B. Approval of Audit Report

Mayor Pro-Tem Rudy made the motion, seconded by Council Member Finn, to approve the Consent Agenda. The motion passed with all voting in favor thereof.

NEW BUSINESS

A. Resolution No. 23-2016 – Acquisition of Right-of-Way for 65th Avenue

Dawn Anderson, City Engineer, and Fred Starr, City Public Works Director, presented Resolution 23-2016.

Ms. Anderson provided some background, explaining that the City Council entered into an Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the purpose of moving forward with a grant to widen 65th Avenue between 37th Street and the US Highway 34 Bypass on December 15, 2015.

According to Ms. Anderson, this agreement allows the City of Evans to use a firm designated by the City Manager to negotiate needed right-of-way and easements in order to acquire property needed to complete the widening project.

Therefore, the City will be negotiating with four property owners along the corridor. Ms. Anderson directed the Council to Exhibit A, which shows the approved right-of-way plan and the property to be acquired. She explained that the current budget for design and right-of-way was \$357,878.00 from the Street Impact Fund.

Council Member Clark asked if City staff has reached out to the property owners.

Ms. Anderson explained that the City has already met with two of the four property owners before any appraisal process.

Council Member Speer asked if the City is communicating with Greeley and when the construction would begin after acquisition.

Ms. Anderson explained that City was working with the City of Greeley, according to the IGA between the two entities, but progress would be dependent on acquisition. She stated that the project may begin before the end of 2016, but will probably start the spring of 2017.

Discussion ensued on the project timeline. The staff and Council Members talked about the timelines for each entity and their respective agreements with CDOT.

Mayor Morris summarized conversations with Mayor Norton, from Greeley, and when each City expected to begin working on the project.

Mayor Pro-Tem Rudy made the motion, seconded Council Member Clark, to adopt Resolution No. 23-2016 approving negotiations with property owners through the City Manager or his designee for the purpose of acquiring right-of-way and easements for the 65th Avenue Roadway Improvements between 37th Street and US Highway 34 Bypass. The motion passed with all voting in favor thereof.

B. Resolution No. 24-2016 – Evans Pool

Brian Stone, City Recreation Director, and Kristen Debo, City Recreation Coordinator, discussed the need for Resolution No. 24-2016 concerning the closure and demolition of the Evans Pool. Ms. Debo introduced the topic, explaining that as a result of the aging pool, major repairs are needed to ensure staff can meet federal regulations to operate the current facility. Along with the mandated repairs necessary to be in compliance with federal regulations and guidelines, there are also many other items that would need to be addressed to ensure the pool functions properly and safely.

Ms. Debo explained that the Resolution gives clear direction to our staff on how to proceed with the closure of the Evans Municipal Pool and outlines the next steps for new recreation amenities to be located on that site. Both Mr. Stone and Ms. Debo explained that removal of the pool is a difficult decision, but new recreational amenities provided new opportunities for our community, as well as being more financially responsible and in the best interest of the public health, safety, and welfare of the community.

Council Member Clark asked about providing alternatives to kids in the community for the summer of 2016.

Ms. Debo discussed several alternatives that were being communicated to residents.

Council Member Homann asked how staff could be certain that a splash park would be successful.

Mr. Stone discussed the separate needs for the Resolution and the future plans for the site. He explained that the future plans were not final and decisions concerning the future of the site would be determined by City Council at a future date.

Council Member Homann asked if the City should be looking at other City property or City parks to ensure that the future site is located near high traffic areas.

Ms. Debo explained that the Resolution was for final demolition of the pool, then future plans for the site would be shaped by community feedback, council feedback, and the City Parks Plan.

Council Member Finn asked about funds for demolition, what will remain on the site, and if the property will be maintained by the City.

Ms. Debo summarized the demolition plans for the City pool, which includes: removing the shell, filling the hole, taking the fence down temporarily for access, and ultimately keeping the buildings and the parking lot.

Council Member Speer expressed concerns about the City's liability for a splash park, spoke about other Cities that regret building a splash park, and asked about other alternatives.

Mr. Stone explained that several alternatives will be considered for future water amenities in the City.

Council Member Speer also asked about notifying surrounding neighbors about demolition.

Ms. Debo discussed the City's presence in the neighborhood and talked about past methods of notifying surrounding neighbors when renovations were occurring.

Council Member Homann asked about the cost of the demolition.

Mr. Stone stated that the cost of demolition and compaction of the pool would be approximately \$65,000.

Mayor Morris thanked them for their presentation.

Council Member Finn made the motion, seconded by Council Member Homann, to adopt Resolution No. 24-2016 – concerning the Evans pool. The motion passed with all voting in favor thereof.

C. IGA Amendment with Central Water

Scott Krob, City Attorney, discussed the need for the IGA with Central Water to be amended in order address the need for the City to have additional water storage from Nissen Reservoir.

Mayor Morris discussed his support for the amendment to the IGA to allow more water storage and water augmentation options for the City.

Mayor Morris also asked about the cost of the amendment.

Mr. Krob explained that the cost to the City is what must be delivered to Central, including Greeley Loveland Irrigation Company shares and/or Windy Gap return flows, in lieu of Godfrey Ditch shares, to enable the City to continue to store water in Central's Nissen Reservoir.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy, to approve and authorize the Mayor to sign the amendment of intergovernmental agreement with Central Colorado Water Conservancy District for exchange of water storage and augmentation water. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan, provided an update on the Colorado Legislative Session concluding And three bills that the Colorado Municipal League was requesting the Governor to veto.

Mr. Hogan referred the Council Members to the number of the business license applications in the monitoring report and the information concerning the recent new-hires by the Evans Police Department.

He also referred them to a handout regarding signage at “The Virge” apartment complex, which removed their Greeley title from their sign on 11th Avenue.

Lastly, he talked about recent hydrant flushing in the City and reminded the Council about the upcoming joint meeting with the Evans Fire Protection District scheduled for Monday, May 23rd.

B. City Attorney

Mr. Krob updated Council that Dan Krob would be present for the June 7th meeting. He proceeded to list the topics of the upcoming executive, as follows: discussion on conflicts of interest, EQRs affiliated with the Tuscany subdivision, and the issue concerning the warehouse at 600 21st Street.

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)

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy, to adjourn into executive session 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.

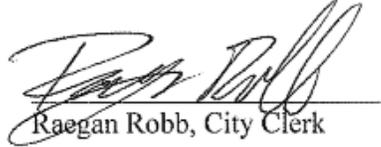
The City Council adjourned into executive session at 8:09 p.m.

The executive session concluded at 9:27 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.

ADJOURNMENT

The regular meeting concluded at 9:27 p.m.



Raegan Robb, City Clerk