

**EVANS CITY COUNCIL
MINUTES
August 1, 2016**

CALL TO ORDER

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

PLEDGE

ROLL CALL

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

Absent: Council Members Homann and Schaffer

RECOGNITIONS

A. ~~City Manager Recognizing the A.C.E. Program Interns~~

AUDIENCE PARTICIPATION

Collin Dost, from 3306 15th Avenue, in Evans, complained about feral cats in his neighborhood and residents being prevented from trapping feral cats according to the Evans Municipal Code.

APPROVAL OF AGENDA

Raegan Robb, Evans City Clerk, revised the agenda striking item 8.C, under New Business, concerning the Lower Latham Diversion.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy, 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 July 19, 2016

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

NEW BUSINESS

B. **Resolution No. 30-2016 – Approving the Grant of a Non-exclusive Easement by**

DCP Midstream, LP to the City of Evans for Construction, Installation, and Maintenance of Two Sanitary Sewer Pipelines Across and Beneath Certain Real Property Belonging to DCP Midstream, LP

Dan Krob, assistant City Attorney, presented Resolution No. 30-2016 – approving a grant of non-exclusive easement by DCP Midstream, LP to the City of Evans for construction, installation, and maintenance of two sanitary sewer pipelines across and beneath certain real property belonging to DCP Midstream.

Mayor Morris asked about the easement for the Wastewater Treatment Plant.

According to Mr. Krob, City staff has successfully negotiated an easement land exchange with DCP Midstream for easements associated with the Consolidated Wastewater Treatment Plant Force Main and DCP's new gas line across the south limits of the existing Hill-n-Park Wastewater Treatment Plant site.

Mayor Morris voiced his support for the easements.

Mayor Pro-Tem Rudy made the motion, seconded by Council Member Clark, to adopt Resolution No. 30-2016 approving the grant of a non-exclusive easement by DCP Midstream, LP to the City of Evans for construction, installation, and maintenance of two sanitary sewer pipelines across and beneath certain real property belonging to DCP Midstream, LP.

The motion passed with all voting in favor thereof.

C. Resolution No. 31-2016 – Approving the Grant of a Non-exclusive Easement by the City of Evans to DCP Midstream, LP for Construction, Installation, and Maintenance of a Pipeline to Transmit Oil, Gas, and Water Across and Beneath Certain Real Property Belonging to the City of Evans

Dan Krob, assistant City Attorney, presented Resolution No. 31-2016 – approving the grant of a non-exclusive easement by the City of Evans to DCP Midstream, LP for construction, installation, and maintenance of a pipeline to transmit oil, gas, and water across and beneath certain real property belonging to the City of Evans.

Mayor Morris voiced his support for the easements.

Council Member Clark made the motion, seconded by Council Member Finn, to adopt Resolution No. 31-2016 approving the grant of a non-exclusive easement by the City of Evans to DCP Midstream, LP for construction, installation, and maintenance of a pipeline to transmit oil, gas, and water across and beneath certain real property belonging to the City of Evans.

The motion passed with all voting in favor thereof.

D. Award of Bid for Highway 85 Access Control at 37th Street

Dawn Anderson, City Engineer, provided some background history about the project for Highway 85 Access Control at 37th Street. According to Ms. Anderson, the City Council approved an IGA with Colorado Department of Transportation (CDOT) on July 3, 2012, for improvements to the intersection of Hwy 85 and 37th Street-as outlined in the Hwy 85 Access Plan. She displayed a diagram of the proposed project for cul-de-sacs to prohibit traffic from the service road onto Highway 85. Ms. Anderson talked about how the project will be communicated to businesses and residents that may be impacted.

Ms. Anderson talked about the City's purchasing policies and the three bids that were opened on July 19, 2016, with the following results.

<u>Contractor</u>	<u>Bid</u>
Mountain Constructors	\$1,065,858.50
Naranjo Civil Constructors	\$1,163,490.35
Duran Excavating, Inc.	\$1,239,588.15

She explained the current 2016 CIP budget for the project \$820,538 with a project deficit of \$ 245,320.50. According to Ms. Anderson, staff was requesting a preliminary budget revision in the amount of \$ 250,000 from the general fund to CIP streets to fund the entire project.

Council Member Clark asked when construction would begin and how long it would take.

Ms. Anderson, stated that the project would begin around the end of September and conclude February, 2017.

Council Member Speer clarified that the bid was being awarded to Mountain Constructors.

Mayor Morris asked about specific details related to the project and closure of the Service Road.

Ms. Anderson discussed the details of the project.

Mayor Morris asked about methods to notify the public about the project.

Ms. Anderson discussed several methods that will be used to communicate the project plan to the public.

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Council Member Clark made the motion, seconded by Council Member Finn, to approve the preliminary budget revision, and award, and authorize the Mayor's signature on an agreement for the Hwy 85 Access Control Project at 37th Street in the amount of \$1,065,858.50. The motion passed with all voting in favor thereof.

E. Award of Bid for the 2016 Asphalt Overlay Project

Ms. Anderson, discussed 2016 Asphalt Overlay Project and the only bid received by the City was from Martin Marietta for \$412,412.

Ms. Anderson explained that staff was recommending that City Council award the 2016 Asphalt Overlay Project to Martin Marietta Materials, Inc. for an amount not to exceed \$585,000.

Discussion ensued between Ms. Anderson and the Council Members concerning the difference between the bid amount and the recommendation.

Ms. Anderson explained that this year's funding is proposed to be utilized on 34th Street between 11th Avenue and 17th Avenue, but other parts of the City could be bid separately based on need and funding.

Mayor Morris voiced his support for the project.

Council Member Speer made the motion, seconded by Mayor Pro-Tem Rudy, to award the 2016 Asphalt Overlay Project to Martin Marietta Materials, Inc. and to authorize the Mayor's signature on an agreement in the amount not to exceed \$585,000. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Jessica Gonifas, Interim City Manager, provided updates on the following matters to the Council:

- Aden Hogan's farewell reception on September 6th;
- the Weld County voter center being setup at the Evans Community Complex for the November 8th General Election;
- the process for utility billing being sent to customers;
- improvements at Riverside Library;
- open positions with the Evans Police Department;
- the events taking place for National Night Out on August 2nd; and
- close-out documents for temporary repairs to the current WWTP and initial mobilization for the new plant.

B. City Attorney

Mr. Krob reserved his comments for executive session.

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, 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 council adjourned into exec session at 7:58 p.m.

The executive session concluded at 8:23 p.m.

Mr. Krob entered into the record that the matters discussed in executive session were subject to attorney-client privilege and within the scope of the referenced state statutes.

ADJOURNMENT

The regular meeting adjourned at 8:23 p.m.


Raegan Robb, City Clerk