

CITY COUNCIL  
CITY OF WRAY, COLORADO  
JULY 14, 2020

The board of council met in Regular Session on July 14, 2020, at 7:30 p.m.

Mayor	Robert Kraus	
Mayor Pro tem	Chad Deyle	
Council Members	Scott Weaver	
	Greg Jones	
	Ben Gardner	
	Brad Rockwell	<b>Absent</b>
	Nicole Smith	
City Manager	James DePue	
City Clerk	Emily Ellis	
City Attorney	Alvin Wall	

**CALL TO ORDER**

**Pledge of Allegiance**

Mayor Robert Kraus called the meeting to order and the Pledge of Allegiance was recited.

**Roll Call**

City Clerk Emily Ellis conducted Roll Call. Council member Brad Rockwell was absent.

**ADDITION TO AND ADOPTION OF AGENDA**

City Manager James DePue requested the addition of Phil Riggleman (Economic Development) to Presentations. Council member Scott Weaver made a motion to adopt the City Council Meeting Agenda as amended. The motion was seconded and passed unanimously.

**APPROVAL OF MINUTES**

Council member Greg Jones made a motion to approve the June 29, 2020 Special Council Meeting minutes. The motion was seconded and passed unanimously.

**PRESENTATIONS**

**Phil Riggleman-Yuma County Economic Development**

Yuma County Economic Development Corporation Director Phil Riggleman presented an update on the progress being made to address the housing shortage in Yuma County, renewable energy projects, and plastic recycling at the Yuma County Landfill.

**PUBLIC HEARING**

**Annexation Hearing for Canyon Court LLC Annexation Petition of Territory Described in Resolution 15-2020**

Mayor Robert Kraus called the Public Hearing to order. Jack McIntyre addressed the Council with concerns about the notifications sent to residents regarding the Canyon Court, LLC property annexation hearing and informed the Council that the notification did not state that the land would be used as a trailer park. McIntyre also voiced concerns that developing a trailer park in the area could negatively affect property values of existing homes. Discussion followed. With no additional comments from the public or Council members, Mayor Pro tem Chad Deyle made a motion to close the Public Hearing. The motion was seconded and passed unanimously.

**Ordinance #620 Annexing Territory to the City of Wray**

Council member Nicole Smith made a motion to dispense with the full reading of Ordinance #620. The motion was seconded and passed unanimously. Mayor Pro tem Chad Deyle made a motion to approve Ordinance #620 annexing territory solely owned by Canyon Court, LLC to the City of Wray. The motion was seconded and passed unanimously.

#### **CITIZEN PARTICIPATION**

There were no Citizen Participation comments.

#### **CONSENT AGENDA**

There were no Consent Agenda items.

#### **NEW BUSINESS**

##### **Main Street Waterline & Improvements Project Bid Award**

City Manager James DePue informed the Council that Zak Dirt, Inc submitted a bid in the amount of \$5,548,817 for the Main Street Waterline and Improvements Project. The Council was informed that Diamondback Engineering made the recommendation to accept the Zak Dirt, Inc. bid. City Manager James DePue informed the Council that a vibration monitoring study will be completed and the Main Street Construction Project is scheduled to begin August 1<sup>st</sup>. Council member Greg Jones made a motion to approve the bid submitted by Zak Dirt, Inc. in the amount of \$5,548,817. The motion was seconded and passed with five supporting votes. Mayor Pro tem Chad Deyle abstained from the vote.

##### **Main Street Waterline & Improvements Project Contract**

City Manager James DePue explained the revisions to the scope of work sections in the contract relating to the Republican River Bridge and Mill Race Bridge. Council member Ben Gardner made a motion to approve the contract between Zak Dirt, Inc and the City of Wray, authorize Mayor Robert Kraus to sign and execute the contract, and authorize City Manager James DePue to issue a notice to proceed with the project. The motion was seconded and passed with five supporting votes. Mayor Pro tem Chad Deyle abstained from the vote.

##### **Resident Project Representative Services for Construction of Main Street Award Consideration**

City Manager James DePue provided an overview of the Request for Proposal for Resident Project Representative Services for the Main Street Construction Project and advised that Engineering Support Services and Project One Cumming had submitted bids. Council member Scott Weaver made a motion to award the RPR Services contract to Engineering Support Service in an amount not to exceed \$227,700. The motion was seconded and passed with five supporting votes. Mayor Pro tem Chad Deyle abstained from the vote.

##### **Resolution 22-2020: Halting the Suspension of Utility Disconnection for Nonpayment**

City Manager James DePue and City Clerk Emily Ellis provided information regarding the city's past due utility accounts. Mayor Pro tem Chad Deyle made a motion to approve Resolution 22-2020 halting the suspension of utility disconnection for non-payment effective July 15, 2020. The motion was seconded and passed unanimously.

##### **Amended Memorandum of Understanding and Cooperative Agreement Related to the Distribution of CARES Act Funds**

City Manager James DePue provided an overview of the distribution of CARES Act Funds. Council member Scott Weaver made a motion to approve the Amended Memorandum of Understanding and Cooperative Agreement Related to the Distribution of CARES Act Funds. The motion was seconded and passed unanimously.

#### **REPORTS**

##### **City Manager's Report**

City Manager James DePue presented the monthly written Manager's Report. Appreciation was expressed to the local fire department.

**Finance Report**

City Clerk Emily Ellis presented the monthly Finance Report for review.

**Approval of Bills**

Council member Greg Jones made a motion to approve the Accounts Payable Report in the amount of \$740,695.39. The motion was seconded and passed unanimously.

**DISCUSSION**

There were no items for Discussion.

**CITY COUNCIL COMMITTEE REPORTS**

Council member Greg Jones presented an update on the Golf Course Board, Council member Nicole Smith presented an update on the Library Board, Mayor Robert Kraus presented an update on the Museum Board, and Council member Scott Weaver presented an update on the Yuma County Landfill.

**EXECUTIVE SESSION**

Mayor Robert Kraus made a motion to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). The motion was seconded and passed unanimously.

The regular session reconvened and Mayor Robert Kraus announced, “the time is now 9:36P.M., and the Executive Session has been concluded. The participants in the Executive Session were City Attorney Alvin Wall, Mayor Robert Kraus, Mayor Pro tem Chad Deyle, Council member Ben Gardner, Council member Greg Jones, Council member Nicole Smith, Council member Scott Weaver, City Manager James DePue, and City Clerk/Treasurer Emily Ellis. For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matter not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is Information Only- Liquor License Renewal – 7-11 and Sandhillier Restaurant and Motel.”

**INFORMATION ONLY**

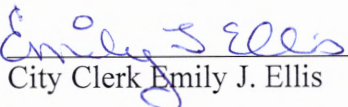
**Liquor License Renewal – 7-11 and Sandhillier Restaurant and Motel**

**ADJOURNMENT**

Meeting adjourned at 9:38 P.M.

  
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Mayor Robert Kraus

ATTEST

  
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City Clerk Emily J. Ellis