

CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, October 1, 2013 @ 7:00 p.m.
141 Nevada Street, Central City, Colorado
AGENDA

The City Council meeting packets are prepared several days prior to the meetings and available for public inspection at City Hall during normal business hours the Monday prior to the meeting. This information is reviewed and studied by the City Council members, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. Agendas are posted on the City's access channel, on the City Hall bulletin board, at the Post Office and at Washington Hall the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.
2. Roll Call. Mayor Ron Engels
Mayor Pro-Tem Bob Spain
Council members Shirley Voorhies
Glo Gaines
Kathy Heider
3. Pledge of Allegiance
4. Additions and/or Amendments to the Agenda.
5. Conflict of Interest.
6. Consent Agenda: The Consent Agenda contains items that can be decided without discussion. Any Council member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under Action items in the order they appear on the agenda (this should be done prior to the motion to approve the consent agenda).

Regular Bill lists of September 19 & 26; and
City Council minutes: September 17, 23, 24, 2013.

PUBLIC FORUM/AUDIENCE PARTICIPATION – (public comment on items on the agenda not including Public Hearing items): the City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the City Council. Your comments should be limited to **three (3) minutes per speaker**. The City Council may not respond to your comments this evening; rather they may take your comments and suggestions under advisement and your questions may be directed to the City Manager for follow-up. Thank you.

ACTION ITEMS: NEW BUSINESS –

7. Resolution No.13-20: A resolution of the City Council of the City of Central, Colorado setting forth certain findings of fact and conclusions as to the annexation of certain property known as the Iowa Lode Mining Claim. (McAskin)
8. Resolution No.13-21: A resolution of the City Council of the City of Central, Colorado setting forth certain findings of fact and conclusions as to the annexation of certain property known as the Prospector's Run – BLM Transfer Property Annexation. (McAskin)

SECOND READING AND PUBLIC HEARING –

9. Ordinance No. 13-11: An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Iowa Lode Mining Claim. (McAskin)

10. Ordinance No. 13-12: An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Iowa Lode Mining Claim as Medium-Density Residential (MDR) and amending the official zoning map. (McAskin)
11. Ordinance No. 13-13: An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Prospector's Run – BLM transfer property annexation. (McAskin)
12. Ordinance No. 13-14: An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Prospector's Run – BLM transfer property as Planned Unit Development (PUD) and amending the official zoning map. (McAskin)

REPORTS –

13. Staff updates –

COUNCIL COMMENTS - limited to 5 minutes each member.

PUBLIC FORUM/AUDIENCE PARTICIPATION – for non-action items not Action or Public Hearing items on this agenda (same rules apply as outlined in the earlier Public Forum section).

ADJOURN. Next Council meeting October 15, 2013.

Posted 9/27/13

Please call Reba Bechtel, City Clerk at 303-582-5251 at least 48 hours prior to the Council meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting.

**CITY OF CENTRAL
CASH ON HAND
9/26/2013**

Total Beginning ENB Cash on Hand 9/12/2013	425.90
Deposits to ENB	-
Wires Out ENB	-
Cleared Checks	-
9/26/2013	425.90
<less previously approved & outstanding>	59.00
Total ENB Cash on Hand 9/26/2013	484.90

Total Beginning CO Biz Cash on Hand 9/12/13	513,458.95
Deposits to COB	384,796.54
Wires Out COB	(53,231.29)
Cleared Checks	(170,463.90)
9/26/2013	674,560.30
<less previously approved & outstanding>	(31,256.74)
Total COB Cash on Hand 9/26/2013	643,303.56

Total Beginning Colotrust Cash on Hand 9/12/2013	1,401,343.90
Wires into Account	8,340.84
Wires out of Account-Into CO Biz Bank	-
Total Colotrust Cash on Hand 9/26/13	1,409,684.74

***The City is currently in the process of switching the operating account from Evergreen National Bank to Colorado Business Bank. As such, you will see less and less activity out of Evergreen National and on the next cash flow report both of the operating accounts will be reflected. Once all transactions have cleared Evergreen National Bank, it will be removed from this sheet.

TOTAL CASH ON HAND 9/26/2013	2,053,473.20
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**CITY OF CENTRAL
DEBIT CREDIT CARD PURCHASES**

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
9/16/2013	Picci's Pizzeria	Council Retreat Dinner	48.66
TOTAL for Debit Cards			48.66
8/7/2013	American Public Works	Water Dept Testing	145.00
8/8/2013	American Public Works	Water Dept Testing	300.00
8/9/2013	Amazon.com	Water Plant Supplies	31.81
8/19/2013	Walmart	Office Supplies-PW	24.40
8/23/2013	Annie Oakley's	Coffee	10.38
8/26/2013	Mid City Grille	PW Lunch	49.95
8/28/2013	NGAP Inc	Snow Pusher-PW	92.51
8/28/2013	Igage Mapping Corp.	PW-Mobile Mapper	85.80
8/29/2013	Vance Brothers	PW Materials	38.00
8/29/2013	Amazon.com	PD-Repalcement Game Camera	202.98
8/30/2013	Office Max	UPS for Wtaer Plant	225.74
9/3/2013	5.11 Tactical	PD Uniforms	113.17
9/4/2013	Office Max	Office Supplies-PW	63.45
9/5/2013	Finance Charges	Finance Charges	142.85
TOTAL for Credit Cards			1,526.04
TOTAL FOR DEBIT & CREDIT			1,574.70

CASH FLOW
CHECK LISTING

Inv Date	Inv #	Ck. Date	CK#	Vendor	Description	Amount	Mail Date
9/12/13	5751151301	9/19/13	127109	Clear Creek Supply	Antifreeze	100.80	
9/5/13	516708	9/19/13	127110	Den-Col Supply Company	PW Supplies	874.78	
9/19/13	91913	9/19/13	127111	Gilpin County Arts Assoc.	Arts Assoc. Sales	327.00	
9/11/13	256055	9/19/13	127112	Napa Auto Parts	Auto Parts	623.95	
9/8/13	236718011	9/19/13	127113	US Bank	Photocopier Lease	855.22	
9/4/13	9234956382	9/19/13	127114	Grainger	Safety Cans	180.05	
9/5/13	CC130910	9/19/13	127115	Weekly Register Call	Publications	31.24	
9/16/13	91613	9/19/13	127116	Stephen Williamson	Water Legal and Litigation	4,732.52	
9/10/13	507715	9/19/13	127117	Honnen Equipment	Auto Parts	6.41	
9/13/13	129860SP13	9/19/13	127118	Pitney Bowes	Postage Machine Rent	177.00	
9/19/13	Sep-13	9/19/13	127119	Janet Spain	Planning Commission Attendance	50.00	
8/31/13	2.1333	9/19/13	127120	Widner & Michow	General Legal Counsel	6,438.50	
9/1/13	637978	9/19/13	127121	FSH Communications	Pay Phone Service	70.00	
9/19/13	119889	9/19/13	127122	Air-O-Pure	Sanitation at Reservoir	95.00	
9/4/13	4488	9/19/13	127123	Ausmus Law Firm	Prosecution for September	600.00	
9/6/13	98198	9/19/13	127124	Kois Brothers	Equipment Cable	44.28	
8/26/13	47263	9/19/13	127125	JVA Inc.	Chase Toe Drain, Water, Lawrence, Rate	10,994.00	
9/19/13	Sep-13	9/19/13	127126	Herman Gaines	Planning Commission Attendance	50.00	
8/31/13	12193201	9/19/13	127127	Martin Marietta	Asphalt	152.68	
9/19/13	Sep-13	9/19/13	127128	Cardmember Services	See Detail	1,526.04	
9/19/13	Sep-13	9/19/13	127129	Margaret Grant	Planning Commission Attendance	50.00	
9/13/13	91313	9/19/13	127130	Robert Fejeran	Mileage Reimbursement	105.60	clrd
9/19/13	Sep-13	9/19/13	127131	Judy Laratta	Planning Commission Attendance	50.00	
9/7/13	19403562	9/19/13	127132	De Lage Landen	PD Photocopier Lease	146.76	
9/11/13	91113	9/19/13	127133	Mary Stone	210 Prosser HP Grant	5,200.00	clrd
9/16/13	91613	9/19/13	127134	Nicolas Parker	Bond Return	5.00	
9/16/13	91313	9/19/13	127135	Angelo Caymen	Bond Return	5.00	
9/16/13	91613	9/19/13	127136	James Mendez	Bond Return	300.00	clrd
9/4/13	90413	9/19/13	127137	Marie Cullar	PD Records Work	240.12	
9/5/13	186524	9/19/13	127138	Eversit Materials LLC	Flat Summer Rock	520.00	
9/13/13	1318	9/19/13	127139	Phyllis Adams	Grant Research	325.00	
		9/27/13	127140	PR 9/27	Employee PR Check	980.77	
		9/27/13	127141	CO Dept of Revenue	Garnishment	118.40	
		9/27/13	127142	ICMA-401	Retirement Contributions	1,873.05	
		9/27/13	127143	ICMA-457	Retirement Contributions	1,772.12	
		9/27/13	127144	ICMA-IRA	Retirement Contributions	381.00	
9/17/13	192798	9/24/13	127145	Albert Frei and Sons	Road Base	38.30	
9/13/13	53788	9/24/13	127146	Av-Tech Electronics	Repair Radio	88.79	
8/21/13	579830	9/24/13	127147	Christopher Dodge Inc.	Switch for Vehicle	84.87	
9/12/13	5751151274	9/24/13	127148	Clear Creek Supply	Auto Parts	2,339.00	
9/22/13	92213	9/24/13	127149	Gilpin County Arts Assoc.	Payroll for Galleries	2,265.00	
9/24/13	001B	9/24/13	127150	Gilpin County Sheriffs Office	Prisoner Housing	742.50	

CASH FLOW
CHECK LISTING

9/26/2013

8/26/13	49276093	9/24/13	127151	Matthew Bender and Co.	CO Stat 13-PD	69.01
9/18/13	888590	9/24/13	127152	Medved	Repair PW Truck	498.75
9/16/13	256550	9/24/13	127153	Napa Auto Parts	Auto Parts	358.08
9/12/13	19824	9/24/13	127154	Med-Tech Resource Inc	Set Belt Cutter	142.77
9/18/13	Oct-13	9/24/13	127155	Vision Service Plan	Vision Insurance Premiums	348.04
9/17/13	91713	9/24/13	127156	Zelda Carter	214 E. 4th High HP Grant	9,986.00
9/12/13	D707991310	9/24/13	127157	Yesco	Sign Maintenance	80.00
9/4/13	155979	9/24/13	127158	Arvada Rent-Alls	Repair Stihl Chain, Scabbards	161.26
11/30/13	126067	9/24/13	127159	Airgas USA	Oxygen and Nitrogen	55.51
9/16/13	D941751	9/24/13	127160	Accutest Mountain States	Water Testing	25.00
9/13/13	40528	9/24/13	127161	Peak Performance Imaging	Laserfiche Annual and Metered Copied	1,204.72
9/19/13	500404351	9/24/13	127162	Modular Space Corp.	PW Office	136.60
9/19/13	50205	9/24/13	127163	Kois Brothers	Replace Hookliff Cab	1,787.53
9/17/13	11586	9/24/13	127164	ROI Fire & Ballistics	Booster Hose and Adapter	625.00
7/22/13	46828	9/24/13	127165	JVA Inc.	Lawrence Street Project	116.00
9/9/13	12229093	9/24/13	127166	Martin Marietta Materials	Asphalt	68.24
9/13/13	72007	9/24/13	127167	Gard Specialists CO	Chopper Elite Cutoff	84.03
9/15/13	1841	9/24/13	127168	Rocky Mtn Truck Repair	Repair Front End Loader	2,520.00
9/11/13	8707	9/24/13	127169	Chema Tox Laboratory	Blood Collection Kit	94.74
9/18/13	91813	9/24/13	127170	Marie Cullar	PD Office Work	80.04
9/18/13	Oct-13	9/24/13	127171	Assurant Employee Benefits	Dental Insurance Premiums	1,903.72
9/24/13	92413	9/24/13	127172	Employee	Employee Pay Advance	300.00
Total Issued:						97,521.53
Outstanding through ENB						31,315.74
Outstanding through COB						5,605.60
59.00						-
31,256.74						66,205.79
Total Pending Approval 10/1/13						

**CITY OF CENTRAL
CITY COUNCIL MEETING
September 17, 2013**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on September 17, 2013.

ROLL CALL

Present: Mayor Engels
Alderman Voorhies
Alderman Gaines
Alderman Heider
Alderman Spain

Absent: None

Staff Present: Manager Lanning
City Clerk Bechtel
Attorney McAskin
Finance Director Flowers
Planner/HPO Fejeran
Police Chief Krelle
Fire Chief Allen
Utilities Superintendent Griffith
Streets/Facilities Superintendent Braccio

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA

Alderman Spain moved to approve the consent agenda containing the regular bill lists for September 5 and 12, 2013; and the City Council minutes for the regular meeting on September 3, 2013. Alderman Heider seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Dodd Hanneman, GM for Johnny Z's Casino, stated his support for additional parking in Central City.

Roy Varela, Heritage West Realty at 430 Lawrence Street, stated there has been progress from a party interested in the purchasing Scarlett's Casino and they would like additional parking. Also, the Big T lot is priced at \$4,000,000.

Tom Sundermeyer, 425 Spring Street, explained his concerns with the Kumar study for the Hillside Garage. He could agree that we need parking but is concerned about the location.

NEW BUSINESS

BID Presentation on Parking Garage – Joe Behm and Haselden Construction

Joe Behm, BID representative, reviewed the BBC study results that show an increase in revenues with additional parking as well as an increase in jobs and explained the 18 month process that has brought them to the current package of projects intended to increase parking. This package includes: a structured parking facility adjacent to Main Street; reconstruction of Spring Street to include the street/curb/gutter/sidewalks; and a surface parking lot between Lawrence/Gregory connected to the existing Century garage. The next step is to move forward with additional studies and design options to determine the cost to build. The BID is asking for Council to include funding in the 2014 Budget for these costs with an estimate of around \$200,000.

Brian Livingston and Ken Baumgardener, from Haselden Construction, explained their extensive work in the CC/BH area and the role that their firm can take. They suggested a collaborative approach to the planning and evaluating of each site with consideration of the special historic needs for Central City.

Sponsorship Report from CC Opera

Rita Sommers, Central City Opera Association, thanked the City of Central for their generous \$25,000 sponsorship in support of *Our Town* and the Central City Days events. She gave details about the 2013 Opera season and the marketing initiatives. She also thanked Gilpin History for the use of the museum grounds and having the docents in period dress.

Acceptance of 2013 CIRSA Property/Casualty & WC Insurance Quote

Finance Director Flowers explained that the City has received CIRSA's Preliminary Contribution Quotes for 2014 Property/Casualty and Workers' Compensation Insurance coverage. In order for CIRSA to finalize the Quotes it is necessary for City Council to formally accept the quotes. By doing so, Council is choosing the City's insurance carrier for Property/Casualty and Workers' Compensation for 2014. CIRSA requires acceptance of their Preliminary Quotations by October 1, 2013.

Property/Casualty- The Preliminary 2014 Quote is for **\$86,234**. This amount is currently reflected in the Proposed 2014 Budget and is allocated among all departments (or funds) based upon the property and fixed assets of each department. This quote shows an increase of \$7,947 (10%). This increase is based upon the number of property claims that the City has had in 2013 as well as the addition of the new vehicles and equipment that the City has purchased and/or plans to purchase in 2013 and 2014. . For reference, the increase between 2012 and 2013 was 35%.

Workers' Compensation- The Preliminary 2014 Quote is **\$63,641**. This amount is also currently reflected in the Proposed 2014 Budget and is allocated among all departments (or funds) based upon each department's proportional share of proposed budgeted personnel costs. This quote shows an increase of 39% due to claims experienced during 2013 and expected payroll costs in 2014. For reference, there was a decrease of 13% between 2012 and 2013.

During May and June of each year the Finance Director prepares and submits to CIRSA information regarding the City's plans for personnel costs, property and equipment in the

following year. CIRSA then uses this information along with the City's loss and claims history to prepare quotes for Property/Casualty and Workers' Compensation insurance coverage. Quotes are generally received at the beginning of September for approval by City Council. Once accepted by City Council, staff executes the Acceptance Form and returns it to CIRSA thereby committing to the quoted coverage for the following year.

The City did not request bids from other insurance agencies for 2014 because CIRSA is a preferred insurance provider for municipalities based on the advantages of participating in a pooled insurance group where all losses and gains are spread equally among all members. This method of pooling gains and losses generally equates to better pricing. We have been with CIRSA for about 10 years and we can get quotes from other carriers for next year.

Alderman Voorhies moved to accept the Property/Casualty and Workers' Compensation Preliminary Contribution Quotations for 2014. Alderman Heider seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-11: An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Iowa Lode Mining Claim.

Ordinance No. 13-12: An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Iowa Lode Mining Claim as Medium-Density Residential (MDR) and amending the official zoning map.

Attorney McAskin explained that the City Council is being asked to consider two ordinances pertaining to a petition for annexation filed of record with the City.

A petition for annexation has been filed for the Iowa Lode Mining Claim (consisting of 4.81 acres, more or less) (the "Petition") By Resolution No. 13-14, City Council found the Petition to be in substantial compliance with the Municipal Annexation Act and scheduled the eligibility hearing for Tuesday, October 1, 2013. Ordinance No. 13-11 annexes the property described in the petition (the "Subject Property") into the City of Central. Ordinance No. 13-12 establishes the initial zoning of the Subject Property.

The Petitioner has entered into a reimbursement agreement with the City to ensure that the City's costs associated with processing with the annexation are paid by the Petitioner.

Staff will complete all necessary public notification regarding the proposed annexations, and the public hearing scheduled for October 1, 2013. If City Council approves Ordinance Nos. 13-11 and 13-12 on first reading, second reading of the annexation ordinance and the ordinance establishing the MDR zoning of the Subject Property will be scheduled for Tuesday, October 1, 2013, to follow the completion of the Eligibility Hearing.

Alderman Voorhies moved to adopt Ordinance No. 13-11: An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Iowa Lode Mining Claim and set the Public Hearing for October 1, 2013 at 7:00pm. Alderman Heider seconded, and without discussion, the motion carried unanimously.

Alderman Voorhies moved to adopt Ordinance No. 13-12: An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Iowa Lode Mining Claim as Medium-Density Residential (MDR) and amending the official zoning map and

set the Public Hearing for October 1, 2013 at 7:00pm. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-13: *An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Prospector's Run – BLM transfer property annexation.*

Ordinance No. 13-14: *An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Prospector's Run – BLM transfer property as Planned Unit Development (PUD) and amending the official zoning map.*

Attorney McAskin explained that the City Council is being asked to consider two ordinances pertaining to a petition for annexation filed of record with the City. A petition for annexation has been filed for the Prospector's Run – BLM Transfer Property (consisting of 0.10 acres, more or less) (the "Petition") By Resolution No. 13-15, City Council found the Petition to be in substantial compliance with the Municipal Annexation Act and scheduled the eligibility hearing for Tuesday, October 1, 2013. Ordinance No. 13-13 annexes the property described in the petition (the "Subject Property") into the City of Central. Ordinance No. 13-14 establishes the initial zoning of the Subject Property. The two (2) Ordinances are scheduled for first reading at the September 17, 2013 City Council meeting.

The Petitioner has entered into a reimbursement agreement with the City to ensure that the City's costs associated with processing with the annexation are paid by the Petitioner.

Staff will complete all necessary public notification regarding the proposed annexations, and the public hearing scheduled for October 1, 2013. If City Council approves Ordinance Nos. 13-13 and 13-14 on first reading, second reading of the annexation ordinance and the ordinance establishing the PUD zoning of the Subject Property will be scheduled for Tuesday, October 1, 2013, to follow the completion of the Eligibility Hearing.

Alderman Voorhies moved to adopt Ordinance No. 13-13: An ordinance of the City Council of the City of Central, Colorado annexing certain territory to the City known as the Prospector's Run – BLM transfer property annexation and set the Public Hearing for October 1, 2013 at 7:00pm. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Alderman Voorhies moved to adopt Ordinance No. 13-14: An ordinance of the City Council of the City of Central, Colorado establishing the initial zoning of property known as the Prospector's Run – BLM transfer property as Planned Unit Development (PUD) and amending the official zoning map and set the Public Hearing for October 1, 2013 at 7:00pm. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Resolution No.13-18: *A resolution of the City Council of the City of Central, Colorado amending the City of Central Comprehensive Fee Schedule.*

City Clerk Bechtel explained that since Council has adopted regulations for retail marijuana, we are asking to set fees for the processing of the licenses. Staff has researched fees and though most municipalities have yet to determine what those fees will be, we received information from Boulder and Carbondale and the proposed fees are included in the fee schedule.

Alderman Heider stated that this is a good start and they can be changed.

Alderman Voorhies moved to approve Resolution No.13-18: A resolution of the City Council of the City of Central, Colorado amending the City of Central Comprehensive Fee Schedule. Alderman Heider seconded, and without discussion, the motion carried unanimously.

Resolution No.13-19: A resolution of the City Council of the City of Central, Colorado Central City Promise Program Policy Change.

Finance Director Flowers gave background as follows: at the September 3rd Council meeting, an application for post secondary funding came before Council for consideration. The applicant had not yet reached the \$20,000 funding limit but had been receiving funding for over the four (4) year term limit. The existing guidelines were not clear as to which requirement should be adhered to, either the monetary funding cap or the four (4) year time limit. Council determined that they would like to amend the Guidelines to reflect that an applicant can only receive funding for a four (4) year period following the initial application (unless interrupted by military service), regardless of whether or not the \$20,000 limit has been reached. Council also wished to reflect that the initial application must be made within two (2) years of graduation from high school or receipt of G.E.D unless interrupted by military service. This proposed resolution makes the requested changes to the Promise Program Guidelines for Post Secondary Education.

Alderman Heider moved to approve Resolution No. 13-19: A resolution of the City Council of the City of Central, Colorado Central City Promise Program Policy Change. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

STAFF REPORTS

Manager Lanning reported the following:

Tiger Grant – funding went to Eisenhower Tunnel for fire suppression

Visioning Retreat – staff will contact Council about setting a date for the 2nd retreat

Budget Work Session – 9/26 on the water fund

COUNCIL COMMENTS

Alderman Voorhies thanked the City crew for their help with all the recent water related issues.

PUBLIC FORUM/AUDIENCE PARTICIPATION

John Zimpel, owner of Johnny Z's Casino at 132 Lawrence Street, stated his concern for the possibility of additional decreased revenues when they are already impacted by the Twin Tunnels project with the traffic plan for the Lawrence Street water line project being limited to one way. He stated that the City needs to minimize the inconvenience to the public and asked them to give additional consideration to widening Gregory to allow two way traffic during this project.

Jim Voorhies, 325 Spring Street, thanked the City and staff for the recognition of the USS Enterprise at the September 3rd meeting. The group enjoyed our hospitality and everything Central City had to offer during their visit to the mountain area.

Mickey Rosenbaum, GM for Century Casino, expressed his concern for any disruption and impact to the businesses that may occur with one way traffic during the Lawrence Street project.

Joe Behm, BID representative, stressed that any project that impacts traffic as it will for both Lawrence and Quartz Hill with traffic delays affects business revenues. Also, traffic counters are needed for data.

Hearing no further business, Mayor Engels adjourned the meeting at 8:08 p.m.
The next Council meeting is scheduled for October 1, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk

**CITY OF CENTRAL
CITY COUNCIL MEETING
September 23, 2013**

CALL TO ORDER

A special meeting of the City Council for the City of Central was called to order by Mayor Engels at 5:00 p.m., in City Hall on September 23, 2013.

ROLL CALL

Present: Mayor Engels
Alderman Voorhies
Alderman Gaines

Absent: Alderman Heider
Alderman Spain

Staff Present: Manager Lanning
City Clerk Bechtel
Utilities Superintendent Griffith

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

NEW BUSINESS

Lawrence Street Project

Manager Lanning explained that the proposed project costs to widen Gregory Street for two-way traffic have come in at \$60,000 from the contractor. The engineer's estimate was from \$36,000 to \$40,000. The current project has \$21,000 for traffic control. So we can subtract \$15,000 (out of the current traffic control) from the \$60,000 which leaves \$45,000 for us to fund. We asked DOLA and CDOT to assist with funding and they declined. The BHCCSD has offered to fund up to \$18,000 to widen Gregory. We can ask the casinos to contribute as well.

Currently the project is planned for traffic lights at either end and timed at 4 minute intervals. It takes 2 minutes and 15 seconds at 10 mph to drive through so a 4 minute light will create some wait time. If we use flaggers for the entire length of the project, the cost is \$115 per hour with \$120,000 total for the 45 day project. We have 10% contingency or about \$25,000 built into the project which we do not want to spend for on this additional cost for widening as it may be needed for the water line construction.

The widening of Gregory will require about 100 barricades along the gulch. Public Works can pull these from the parkway and storage. Black Hawk has also offered to let us use some of their barriers.

Utilities Superintendent Griffith explained that this on-way traffic with lights on Gregory is only for Monday through 2 p.m. on Friday when Lawrence will reopen for traffic on the weekends. We only have these two options which are: to move forward as approved in the contract using traffic signals and some flaggers; or to widen Gregory to allow for two-way traffic. The project is not likely to get shortened if construction crews could work through the weekends and those costs have not been considered in the project.

Alderman Gaines asked if Gregory would stay that wide so it could be used at another time if needed. Manager Lanning stated that yes it could.

Mayor Engels asked what the casinos might be willing to contribute and are they willing to share some or all the additional cost. The benefit to the city for two-way traffic on Gregory is less than the cost of the expenditure.

John Zimpel, owner of Johnny Z's Casino, stated that the revenues are down for August as well as September already and so the impact to the city could be much higher than estimated. Half of the casino revenue is Friday, Saturday, and Sunday with the other half of revenue is Monday through Thursday. Mr. Zimpel also asked Council to consider permanent guard rails on Gregory along the gulch for safety in the long term.

Manager Lanning offered that if the casinos are willing to contribute \$10,000, we would split the difference with the sanitation district for \$17,000 each. He will contact Joe Behm with the BID and see what they may be willing to contribute.

Council consensus is for a special meeting on Tuesday, September 24 at 7:00 p.m.
Hearing no further business, Mayor Engels adjourned the meeting at 5:29 p.m.
The next regular Council meeting is scheduled for October 1, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk

**CITY OF CENTRAL
CITY COUNCIL MEETING
September 24, 2013**

CALL TO ORDER

A special meeting of the City Council for the City of Central was called to order by Mayor Engels at 6:00 p.m., in City Hall on September 24, 2013.

ROLL CALL

Present: Mayor Engels
Alderman Voorhies
Alderman Gaines
Alderman Heider

Absent: Alderman Spain

Staff Present: Manager Lanning
City Clerk Bechtel
Utilities Superintendent Griffith

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

NEW BUSINESS

Lawrence Street Project

Mayor Engels stated that staff was directed to check with the casinos to see if they would provide any contribution to the proposal of making Gregory Street two-way traffic.

Manager Lanning reviewed the numbers from the \$60,000 contractor proposal to make Gregory Street two-way. We are subtracting \$15,000 that is currently in the project budget for traffic control; \$6,000 that the casinos have agreed to today for the project (\$5,000 from the BID and \$1,000 from Johnny Z's); \$18,000 from BHCCSD which leaves \$21,000 for the City share. We may be able to reduce that cost if the amount of asphalt needed is less. The BHCCSD will match the City cost up to \$18,000. It would take 7 days to complete the Gregory Street widening during which time Lawrence will become two-way. The length of the project as currently proposed is 45 days and then we would add the additional 7 days to that.

Alderman Heider asked if it is possible to widen Gregory Street within the limits of the road. Manager Lanning stated that the road can be expanded to 24ft. all the way except one area just east of the Reserve Casino.

Alderman Heider asked if there is a long term benefit to the City for the \$21,000 cost of this widening. Manager Lanning stated that it could be of use in the future if there are any street or line problems.

Manager Lanning stated that staff has discussed the option that we could widen Gregory Street now and do the Lawrence Street portion of the project in the spring.

Mayor Engels stated the \$6,000 casino contribution is disappointing with the amount of loss that they have projected as possible and would have expected more investment.

Alderman Voorhies moved to retain the original plan with traffic lights and flaggers for traffic control on the Lawrence Street Water/Sewer Line Project. Alderman Heider seconded, and without discussion, the motion carried unanimously.

Hearing no further business, Mayor Engels adjourned the meeting at 6:29 p.m.
The next regular Council meeting is scheduled for October 1, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk



AGENDA ITEM # 7-8

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Engels and Members of City Council

FROM: Marcus McAskin, City Attorney

DATE: September 26, 2013

ITEMS: Resolution Nos. 13-20 and 13-21 (Resolutions Establishing Eligibility for Annexation – Iowa Lode Mining Claim annexation and Prospector’s Run – BLM Property Transfer annexation)

ORDINANCE
 MOTION
 RESOLUTION(S)
 INFORMATION

- I. **REQUEST OR ISSUE:** The City Council is being asked to consider two resolutions pertaining to petitions for annexation filed of record with the City.

Two petitions (collectively, the “Petitions”) have been filed: a petition for annexation pertaining to the Iowa Lode Mining Claim (consisting of 4.81 acres, more or less) (the “Iowa Lode Property”) and a petition for annexation pertaining to the Prospector’s Run – BLM Property transfer annexation (consisting of 4,400 square feet, more or less) (the “Prospector’s Run Property”) (together, the “Subject Properties”).

The Petitions were determined to be in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S §§ 31-12-101 et seq., as amended (the “Act”), and the eligibility hearings on the Petitions were scheduled for October 1, 2013.

Before City Council may proceed to consider the annexation of either of the Subject Properties, the City is required to hold a public hearing on each of the Iowa Lode Property and the Prospector’s Run Property to determine whether or not the Subject Properties

meet certain statutory requirements set forth in Act, and are therefore “eligible” for annexation into the City of Central.

By approving Resolution Nos. 13-20 and 13-21, City Council will confirm that the Subject Properties are eligible for annexation into the City, and the City Council may then proceed to determine whether it desires to annex each of the Subject Properties (via Ordinance Nos. 13-11 and 13-13 which are also scheduled on the October 1, 2013 City Council agenda). Staff is recommending approval of Resolution Nos. 13-20 and 13-21.

II. BACKGROUND INFORMATION:

There are three major procedural steps required for a voluntary annexation. The first two steps, Substantial Compliance and the Eligibility Hearing, are procedural in that City Council’s role is to determine whether or not an annexation request meets requirements of the Act. The third step is a legislative determination of City Council as to whether it wishes to annex the Property. The following is a summary of the three steps:

- A. Substantial Compliance – City Council must determine if each Petition meets the requirements set forth in C.R.S. § 31-12-107(1). As set forth later in this Council Communication Form, as part of the Substantial Compliance determination, City Council is required to set the date and time of the Eligibility Hearing.
- B. Eligibility – After public notice in accordance with the requirements of the Act, City Council must determine if the requested annexation meets the applicable provisions of the Act and the Colorado Constitution, and is therefore eligible for annexation into the City. The Eligibility Hearing must occur between thirty (30) and sixty (60) days after the Substantial Compliance Hearing.
- C. Annexation and Zoning – Once an annexation request has been deemed eligible, City Council can proceed with the annexation and zoning hearings. The first two steps determine whether the Property described in each of the Petitions *may* be annexed; this step determines whether said Property *should* be annexed. City Council is scheduled to take action on this third step immediately following the conclusion of the Eligibility Hearing (via Ordinance Nos. 13-11 and 13-13).

This Council Communication Form and the attached Resolutions are intended to comply with **step two** of the annexation process set forth above (Eligibility).

The Subject Properties are described in the Petitions.

Eligibility Hearing Procedure

Any person may appear at the eligibility hearings and present evidence to City Council as to whether each of the Iowa Lode Property or the Prospector’s Run Property meets the eligibility requirements for annexation set forth in the Act.

Analysis

Following conclusion of the public hearing, § 31-12-110, C.R.S., requires City Council to set forth its findings of fact and conclusion with respect to the following matters:

- 1) Whether or not the requirements of the applicable provisions of Section 30 of Article II of the Colorado Constitution and § 31-12-104 and § 31-12-105, C.R.S., have been met;
- 2) Whether or not an election is required under Section 30(1)(a) of Article II of the Colorado Constitution and § 31-12-107(2) C.R.S.; and
- 3) Whether additional terms and conditions are to be imposed.

Staff is requesting that City Council approve Resolution 13-20 (Iowa Lode Property) and Resolution 13-21 (Prospector's Run Property) following a review of the applicable statutory criteria. The City Attorney will review the applicable criteria prior to the public hearing.

- III. **RECOMMENDATION:** Staff recommends City Council approve Resolution 13-20 and Resolution 13-21, establishing that the Subject Properties are eligible for annexation to the City.
- IV. **FISCAL IMPACT:** Approving the Resolutions will not have any direct fiscal impact on the City as the Resolutions only state that the Subject Properties are eligible for annexation.
- V. **LEGAL ISSUES:** None.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A
- VII. **NEXT STEPS:** City Council must determine if it desires to annex the Subject Properties via consideration of Ordinance Nos. 13-11 and 13-13. If annexed, City Council will also consider the establishment of initial zoning of the Subject Properties (via Ordinance Nos. 13-12 and 13-14).
- VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:
 - (1) Adopt Resolution Nos. 13-20 and 13-21, as presented;
 - (2) Direct staff to make revisions to Resolution(s) and schedule consideration of the Resolution(s) on a future City Council agenda; or
 - (3) Reject or deny one or both of Resolution Nos. 13-20 and 13-21.

Suggested motions are set forth on the next page.

VIII. SUGGESTED MOTIONS:

Resolution No. 13-20 (Resolution Establishing Eligibility for Annexation – Iowa Lode Property)

Motion to Approve

I MOVE TO APPROVE RESOLUTION NO. 13-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE IOWA LODGE MINING CLAIM, BASED ON A FINDING THAT THE PROPERTY IS ELIGIBLE FOR ANNEXATION TO THE CITY OF CENTRAL.

Motion to Deny

I MOVE TO DENY RESOLUTION NO. 13-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE IOWA LODGE MINING CLAIM, BASED ON THE FOLLOWING:

(Council member making motion to supply reason(s) why the Subject Property is not eligible for annexation).

Resolution No. 13-21 (Resolution Establishing Eligibility for Annexation – Prospector's Run Property)

Motion to Approve

I MOVE TO APPROVE RESOLUTION NO. 13-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE PROSPECTOR'S RUN – BLM TRANSFER PROPERTY, BASED ON A FINDING THAT THE PROPERTY IS ELIGIBLE FOR ANNEXATION TO THE CITY OF CENTRAL.

Motion to Deny

I MOVE TO DENY RESOLUTION NO. 13-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE PROSPECTOR'S RUN – BLM TRANSFER PROPERTY, BASED ON THE FOLLOWING:

(Council member making motion to supply reason(s) why the Subject Property is not eligible for annexation).

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 13-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND
CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS
THE IOWA LODGE MINING CLAIM**

WHEREAS, the City Council of the City of Central, Colorado has received a petition for annexation and an annexation map of certain real property more fully described in said petition (the "Property"), said petition having heretofore been filed with the City Clerk of the City of Central, State of Colorado (the "Petition"); and

WHEREAS, the City Council held a duly noticed public hearing to consider the Petition; and

WHEREAS, in conformance with § 31-12-110 of the Municipal Annexation Act of 1965 and Chapter 15 of the City of Central Municipal Code, the City Council has examined the Petition and related filings and wishes to make certain findings of fact as more fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO THAT:

Section 1. The above findings and recitals are incorporated herein as findings and determinations of the City Council.

Section 2. The City Council further finds as follows:

1. That the Property meets the requirements of Section 30(1)(b) of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and 31-12-105, and is eligible for annexation to the City of Central;
2. That an election is not required under the applicable requirements of Section 30(1)(a) of Article II of the Colorado Constitution and C.R.S. § 31-12-107(2); and
3. That no additional terms or conditions are imposed which would require an election under C.R.S. § 31-12-112(1). Specifically, the City Council finds that there are no additional terms and conditions imposed on the proposed annexation of the Property to the City.

Section 3. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 1st DAY OF OCTOBER, 2013.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 13-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO SETTING FORTH CERTAIN FINDINGS OF FACT AND
CONCLUSIONS AS TO THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS
THE PROSPECTOR'S RUN – BLM TRANSFER PROPERTY ANNEXATION**

WHEREAS, the City Council of the City of Central, Colorado has received a petition for annexation and an annexation map of certain real property more fully described in said petition (the "Property"), said petition having heretofore been filed with the City Clerk of the City of Central, State of Colorado (the "Petition"); and

WHEREAS, the City Council held a duly noticed public hearing to consider the Petition; and

WHEREAS, in conformance with § 31-12-110 of the Municipal Annexation Act of 1965 and Chapter 15 of the City of Central Municipal Code, the City Council has examined the Petition and related filings and wishes to make certain findings of fact as more fully set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF CENTRAL, COLORADO THAT:**

Section 1. The above findings and recitals are incorporated herein as findings and determinations of the City Council.

Section 2. The City Council further finds as follows:

1. That the Property meets the requirements of Section 30(1)(b) of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and 31-12-105, and is eligible for annexation to the City of Central;
2. That an election is not required under the applicable requirements of Section 30(1)(a) of Article II of the Colorado Constitution and C.R.S. § 31-12-107(2); and
3. That no additional terms or conditions are imposed which would require an election under C.R.S. § 31-12-112(1). Specifically, the City Council finds that there are no additional terms and conditions imposed on the proposed annexation of the Property to the City.

Section 3. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 1st DAY OF OCTOBER, 2013.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney



AGENDA ITEM # 9-10

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Engels and Members of City Council

FROM: Marcus McAskin, City Attorney

DATE: September 26, 2013

ITEMS: Ordinance Nos. 13-11 and 13-12 (Ordinance annexing territory to the City known as the Iowa Lode Mining Claim annexation and establishing the initial zoning of the subject property as Medium-Density Residential (MDR) – and amending the official zoning map)

ORDINANCE(S)
 MOTION
 RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** The City Council is being asked to consider two ordinances pertaining to a petition for annexation filed of record with the City on second reading. A petition for annexation has been filed for the Iowa Lode Mining Claim (consisting of 4.81 acres, more or less) (the "Petition")

By Resolution No. 13-14, City Council found the Petition to be in substantial compliance with the Municipal Annexation Act and scheduled the eligibility hearing for Tuesday, October 1, 2013.

The eligibility hearing must be completed prior to City Council's consideration of the two ordinances.

Ordinance No. 13-11 annexes the property described in the petition (the "Subject Property") into the City of Central.

Ordinance No. 13-12 establishes the initial zoning of the Subject Property.

The two (2) Ordinances were considered and approved on first reading at the September 17, 2013 City Council meeting.

- II. **RECOMMENDATION:** Consider the Ordinances individually on second reading, following a public hearing on each Ordinance.
- III. **FISCAL IMPACTS:** Nominal. The Petitioner has entered into a reimbursement agreement with the City to ensure that the City's costs associated with processing with the annexation are paid by the Petitioner.
- V. **LEGAL ISSUES:** None.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A
- VII. **NEXT STEPS:** Staff will complete all necessary filings with the County to complete the annexation, as required by the Municipal Annexation Act of 1965. Upon approval of the initial Medium-Density Residential (MDR) zoning, the City's zoning map will be updated accordingly.
- VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:
- (1) Adopt Ordinance Nos. 13-11 and 13-12 on second reading, following a public hearing on each Ordinance, as may or may not be amended;
 - (2) Direct staff to make revisions to Ordinance No. 13-11 and/or 13-12 and schedule second reading of the Ordinance(s) on a future City Council agenda; or
 - (3) Reject or deny one or both of Ordinance No. 13-11 and 13-12.

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO ANNEXING CERTAIN TERRITORY TO THE CITY KNOWN AS
THE IOWA LODE MINING CLAIM**

WHEREAS, the real property generally described as the Iowa Lode Mining Claim annexation property and which is more particularly described in **Exhibit A** attached hereto (hereinafter, the "Property") is located in an unincorporated area of Gilpin County, Colorado; and

WHEREAS, the City Council finds that, pursuant to the findings set forth in Resolution No. 13-18:

- That the Property meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and §§ 31-12-104 and 31-12-105, C.R.S., and is eligible for annexation to the City of Central;
- That an election is not required under the applicable requirements of Section 30(1)(a) of Article II of the Colorado Constitution and § 31-12-107(2), C.R.S.; and
- That no additional terms or conditions are imposed which would require an election under § 31-12-112(1), C.R.S.

WHEREAS, the City Council held a duly noticed public hearing to consider annexation of the Property, notice of which was duly published in accordance with the requirements set forth in Section 31-12-108(2), C.R.S.; and

WHEREAS, annexation of the Property will not result in detachment of any area from any school district and the attachment of the same to another school district; and

WHEREAS, annexation proceedings to annex the Property have not commenced for annexation of all or part of the Property to another municipality; and

WHEREAS, the City Council finds that it is in the best interests of the City to annex the Property to the City in its entirety.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Annexation of Property Approved. The Property as described herein is hereby annexed to and included within the corporate limits of the City of Central, Colorado, in accordance with law.

Section 3. Direction to City Staff. The City Council hereby directs Staff to complete all necessary procedures required for annexation of said Property to the City including: (1) filing for recording three certified copies of this Annexation Ordinance and a map of the annexed Property containing a legal description of the Property annexed hereby (“Annexation Map”) with the Gilpin County Clerk and Recorder, and (2) filing the original of this Annexation Ordinance together with a copy of the Annexation Map with the City Clerk of the City of Central, Colorado.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the ___ day of _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

EXHIBIT A

PROPERTY DESCRIPTION

The Iowa Lode Mining Claim, U.S. Mineral Survey No. 4839, described in U.S. Patent recorded May 22, 1991 in Book 512 at Page 171, Excepting therefrom any portion in conflict with Survey No. 261 (Central City Townsite) as excepted in said Patent, County of Gilpin, State of Colorado.

also known by street and number as **vacant land, Central City, Colorado**

(the "Subject Property").

The Subject Property consists of 4.81 acres more or less and is shown on the annexation map on file with the City Clerk.

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO ESTABLISHING THE INITIAL ZONING OF PROPERTY
KNOWN AS THE IOWA LODE MINING CLAIM AS MEDIUM-DENSITY
RESIDENTIAL (MDR) AND AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, Gary Detweiler (“Owner”) has filed a petition for annexation to annex property commonly known as the Iowa Lode Mining Claim annexation (the “Property”), to the City of Central in accordance with the Colorado Municipal Annexation Act, C.R.S. § 31-12-101 *et seq.*; and

WHEREAS, on October 1, 2013, pursuant to a duly noticed public hearing, the City Council of the City of Central adopted Ordinance 13-11 annexing the Property into the City; and

WHEREAS, at the same hearing on October 1, 2013, the City Council considered the establishment of initial zoning of the Property to City of Central Medium-Density Residential (MDR); and

WHEREAS, under C.R.S. § 31-12-115(2) of the Municipal Annexation Act and Section 16-10-80(b) of the Municipal Code, property annexed to the City must be zoned pursuant to the City’s zoning regulations within ninety (90) days after the effective date of the Annexation Ordinance; and

WHEREAS, the Planning Commission considered the proposed rezoning of the Property at a duly noticed public hearing held on September 4, 2013, and subsequently forwarded its favorable recommendation to City Council; and

WHEREAS, public notice has been properly given of such proposed zoning of the Property by publication in *The Weekly Register-Call*, a newspaper of general circulation within the City, by posting of said Property, and by mail notification of adjacent property owners in accordance with the applicable provisions of Section 16-1-90 of the Municipal Code; and

WHEREAS, a public hearing was held before the City Council at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the administrative record for this case includes, but is not limited to, the Central City Municipal Code, City of Central Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City land use application processing policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the property owner, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the City’s Planning Department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has

determined that the proposed zoning of the Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the City's Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the City's Municipal Code; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with state law and the City of Central Municipal Code by setting a public hearing in order to provide staff, the property owners, and the public an opportunity to present testimony and evidence regarding the application; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed initial zoning of the Property.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Initial Zoning of Property Approved. The City Council hereby grants and approves zoning of the Property to City of Central Medium-Density Residential (MDR).

Section 3. Amendment of Zoning Map. The Official Zoning Map of the City of Central shall be amended to conform to and reflect the Property's Medium-Density Residential (MDR) zoning district classification. The Planning Department is directed to change the zoning of the Property to MDR on the City's Official Zoning Map and to make any technical corrections to the Official Zoning Map necessitated by the initial zoning of the Property established by this Ordinance.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk



AGENDA ITEM # 11-12

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Engels and Members of City Council

FROM: Marcus McAskin, City Attorney

DATE: September 26, 2013

ITEMS: Ordinance Nos. 13-13 and 13-14 (Ordinance annexing territory to the City known as the Prospector's Run – BLM Transfer Property annexation and establishing the initial zoning of the subject property as Planned Unit Development (PUD) – and amending the official zoning map)

ORDINANCE(S)
 MOTION
 RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** The City Council is being asked to consider two ordinances pertaining to a petition for annexation filed of record with the City on second reading. A petition for annexation has been filed for the Prospector's Run – BLM Transfer Property (consisting of 0.10 acres, more or less) (the "Petition")

By Resolution No. 13-15, City Council found the Petition to be in substantial compliance with the Municipal Annexation Act and scheduled the eligibility hearing for Tuesday, October 1, 2013.

The eligibility hearing is required to be completed prior to City Council's consideration of these two ordinances.

Ordinance No. 13-13 annexes the property described in the petition (the "Subject Property") into the City of Central.

Ordinance No. 13-14 establishes the initial zoning of the Subject Property. The two (2) Ordinances were considered and approved on first reading at the September 17, 2013 City Council meeting.

- II. **RECOMMENDATION:** Consider the Ordinances individually on second reading, following a public hearing on each Ordinance.
- III. **FISCAL IMPACTS:** Nominal. The Petitioner has entered into a reimbursement agreement with the City to ensure that the City's costs associated with processing with the annexation are paid by the Petitioner.
- V. **LEGAL ISSUES:** None.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A
- VII. **NEXT STEPS:** Staff will complete all necessary filings with the County to complete the annexation, as required by the Municipal Annexation Act of 1965. Upon approval of the initial PUD zoning, the City's zoning map will be updated accordingly.
- VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:
 - (1) Adopt Ordinance Nos. 13-13 and 13-14 on second reading, following a public hearing on each Ordinance, as may or may not be amended;
 - (2) Direct staff to make revisions to Ordinance No. 13-13 and/or 13-14 and schedule second reading of the Ordinance(s) on a future City Council agenda; or
 - (3) Reject or deny one or both of Ordinance No. 13-13 and 13-14.

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO ANNEXING CERTAIN TERRITORY TO THE CITY KNOWN AS
THE PROSPECTOR'S RUN – BLM TRANSFER PROPERTY ANNEXATION**

WHEREAS, the real property generally described as the Prospector's Run – BLM Transfer Property annexation and which is more particularly described in **Exhibit A** attached hereto (hereinafter, the "Property") is located in an unincorporated area of Gilpin County, Colorado; and

WHEREAS, the City Council finds that, pursuant to the findings set forth in Resolution No. 13-19:

- That the Property meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and §§ 31-12-104 and 31-12-105, C.R.S., and is eligible for annexation to the City of Central;
- That an election is not required under the applicable requirements of Section 30(1)(a) of Article II of the Colorado Constitution and § 31-12-107(2), C.R.S.; and
- That no additional terms or conditions are imposed which would require an election under § 31-12-112(1), C.R.S.

WHEREAS, the City Council held a duly noticed public hearing to consider annexation of the Property, notice of which was duly published in accordance with the requirements set forth in Section 31-12-108(2), C.R.S.; and

WHEREAS, annexation of the Property will not result in detachment of any area from any school district and the attachment of the same to another school district; and

WHEREAS, annexation proceedings to annex the Property have not commenced for annexation of all or part of the Property to another municipality; and

WHEREAS, the City Council finds that it is in the best interests of the City to annex the Property to the City in its entirety.

**BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL,
COLORADO THAT:**

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Annexation of Property Approved. The Property as described herein is hereby annexed to and included within the corporate limits of the City of Central, Colorado, in accordance with law.

Section 3. Direction to City Staff. The City Council hereby directs Staff to complete all necessary procedures required for annexation of said Property to the City including: (1) filing for recording three certified copies of this Annexation Ordinance and a map of the annexed Property containing a legal description of the Property annexed hereby (“Annexation Map”) with the Gilpin County Clerk and Recorder, and (2) filing the original of this Annexation Ordinance together with a copy of the Annexation Map with the City Clerk of the City of Central, Colorado.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the ___ day of _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

EXHIBIT A

PROPERTY DESCRIPTION

Sixth Principal Meridian, Colorado,
T.3 S., R. 73 W.,
Section 11, Lots 26 and 29

As more particularly described in that certain Patent dated January 27, 2010 and recorded February 4, 2010 at Reception No. 140921 in the real property records of Gilpin County, Colorado, containing 4,400 square feet, more or less

(the "Subject Property").

The Subject Property consists of 4,400 square feet more or less (0.10 acres) and is shown on the annexation map on file with the City Clerk.

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO ESTABLISHING THE INITIAL ZONING OF PROPERTY
KNOWN AS THE PROSPECTOR'S RUN – BLM TRANSFER PROPERTY AS
PLANNED UNIT DEVELOPMENT (PUD) AND AMENDING THE OFFICIAL
ZONING MAP**

WHEREAS, Prospector's Run LLC, a Colorado limited liability company ("Owner") has filed a petition for annexation to annex property commonly known as the Prospector's Run – BLM Transfer Property annexation (the "Property"), to the City of Central in accordance with the Colorado Municipal Annexation Act, C.R.S. § 31-12-101 *et seq.*; and

WHEREAS, on October 1, 2013, pursuant to a duly noticed public hearing, the City Council of the City of Central adopted Ordinance 13-13 annexing the Property into the City; and

WHEREAS, at the same hearing on October 1, 2013, the City Council considered the establishment of initial zoning of the Property to City of Central Planned Unit Development (PUD); and

WHEREAS, under C.R.S. § 31-12-115(2) of the Municipal Annexation Act and Section 16-10-80(b) of the Municipal Code, property annexed to the City must be zoned pursuant to the City's zoning regulations within ninety (90) days after the effective date of the Annexation Ordinance; and

WHEREAS, the Planning Commission considered the proposed rezoning of the Property at a duly noticed public hearing held on September 4, 2013, and subsequently forwarded its favorable recommendation to City Council; and

WHEREAS, public notice has been properly given of such proposed zoning of the Property by publication in *The Weekly Register-Call*, a newspaper of general circulation within the City, by posting of said Property, and by mail notification of adjacent property owners in accordance with the applicable provisions of Section 16-1-90 of the Municipal Code; and

WHEREAS, a public hearing was held before the City Council at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the administrative record for this case includes, but is not limited to, the Central City Municipal Code, City of Central Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City land use application processing policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the property owner, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the City's Planning Department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed zoning of the Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the City's Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the City's Municipal Code; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with state law and the City of Central Municipal Code by setting a public hearing in order to provide staff, the property owners, and the public an opportunity to present testimony and evidence regarding the application; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed initial zoning of the Property.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Initial Zoning of Property Approved. The City Council hereby grants and approves zoning of the Property to City of Central Planned Unit Development (PUD).

Section 3. Amendment of Zoning Map. The Official Zoning Map of the City of Central shall be amended to conform to and reflect the Property's Planned Unit Development (PUD) zoning district classification. The Planning Department is directed to change the zoning of the Property to PUD on the City's Official Zoning Map and to make any technical corrections to the Official Zoning Map necessitated by the initial zoning of the Property established by this Ordinance.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the ____ day of _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

DATE: September 26, 2013

TO: Alan Lanning, City Manager
Mayor & Council

FROM: Shannon Flowers, Finance Director/Treasurer

Following is an update of the Finance Department's activities from Thursday, September 12th through Thursday September 26th, 2013.

- Made revisions to 2014 General Fund Proposed Budget based on work session
- Attended Budget Work Session
- Filed CIRSA insurance claims
- Attended tour of City properties for coordinated by Planner
- Began SEC Reports for annual filing
- Prepared information for Council Budget Work Session
- Began updating YE revenue and expenditure projections
- Worked with Evergreen National Bank on Short Term Loan issuance
- Drafted Newsletter article
- Processed Bi-weekly payroll and all associated tax and retirement filings
- Finance Clerk Processed Accounts Payable
- Finance Clerk processed Accounts Receivable and prepared weekly deposits
- Finance Clerk administered Court

To: City Manager Alan Lanning, Mayor Engels, and City Council

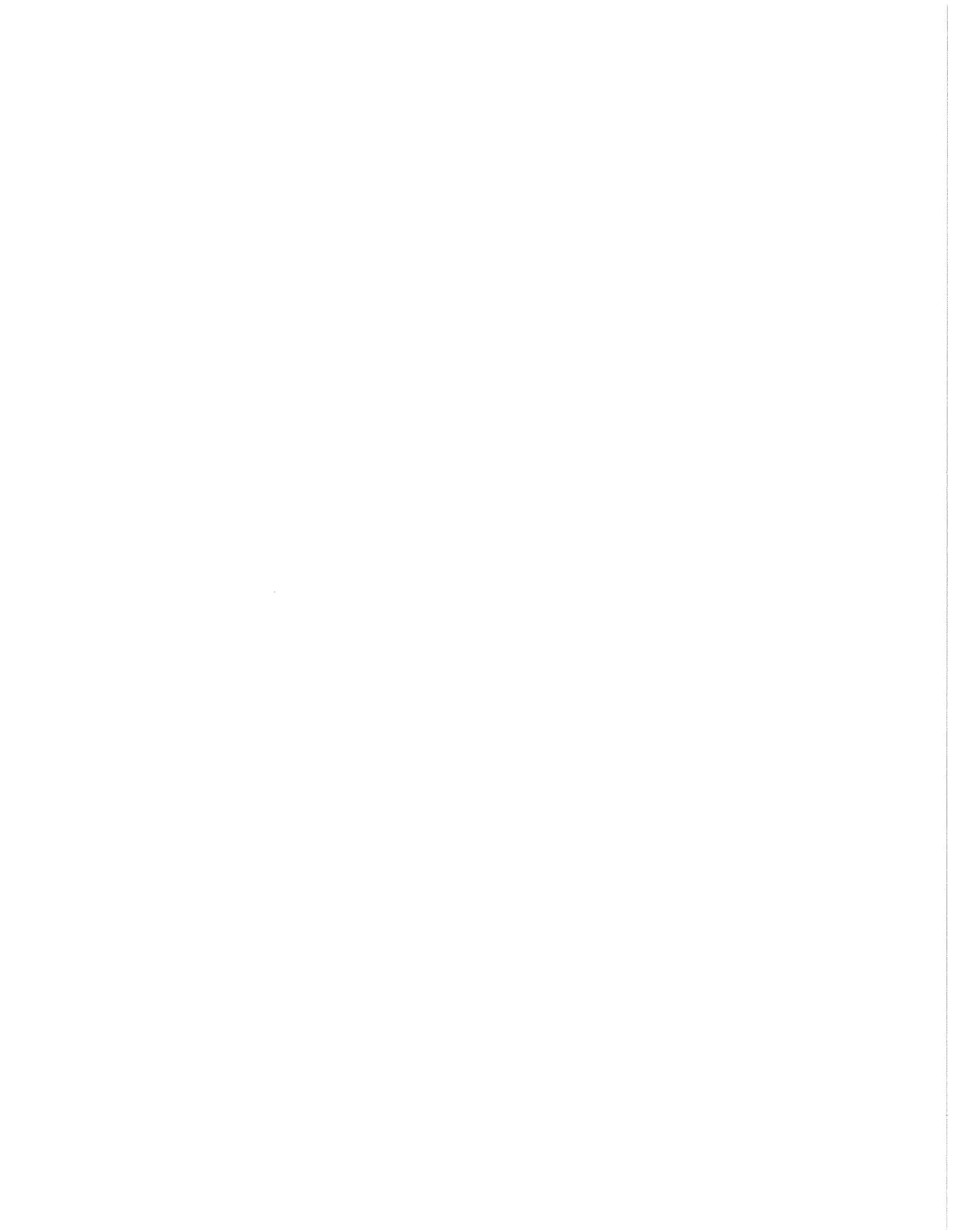
From: Robert Fejeran, City Planner/HPO

Date: October 1, 2013

Re: Bi-weekly Report

Workplan Items in Progress

- **Baseline Services** –
 - ***Permitting:***
 - Minor construction – deck/patio addition
 - Permit improvement evaluation (online alt.)
 - ***Land Planning:***
 - Prospector's Run annexation (public hearing set for Oct 1st)
 - Iowa Lode annexation (public hearing set for Oct 1st)
 - Capturing infrastructure assets for GIS
 - PUD timeline prep for potential development
- **General Planning**
 - Data collection started for Comp plan: shuttle/bus ridership, traffic counts
- **Public Works / Infrastructure** –
 - AT&T facility: Site civil engineering underway
 - Lawrence Street Waterline under construction
 - Quartz Hill Pre-bid meeting set for Oct 3rd @ 10am
- **Economic Dev/Grants** –
 - Marketing City Assets to potential local/state funding resources
 - CLG survey Reconnaissance grant in progress
 - Researching other grants (USDA Grant for Public Works Facility)
 - Coordinating grants for Arts Association/Historical Society
- **Information Technology** –
 - Evaluating communication network redundancy
 - Planned update of City website/TV channel
- **Project Management** –
 - Quartz Hill Reclamation
 - Pre-bid meeting set for Oct 3rd @ 10am
 - Nevada Street Rock Wall Remediation
 - Hayward Baker started work 9/25



Water Department

To: City Manager Alan Lanning, Mayor Engels, and City Council

From: Shawn Griffith, Utilities Superintendent

Date: October 1, 2013

Re: Bi-weekly Report

- **Lawrence St Waterline Replacement Project** – As of Friday, the Water line project construction was officially started. Manholes were exposed and readied for milling. The bus turn around has been closed and is being used for staging. Hammerlund was granted a 3 day extension due to CDOT wide/heavy load permits not being issued due to the emergency inspection of bridges affected by the flooding. Attached is their new project schedule.
- **Storm Water Grant** –For \$100,000 moves forward and the 2014-2016 budget will accommodate the \$195,000 of in-kind and actual expenses through June of 2016.
- **Water Rate Study** – Council was given the water rate study at the work session on September 17 and it is available on the website.
- **The State Dam Engineer** – Conducted an emergency inspection of Chase Dam. He determined there was no significant impact due to the heavy rains and flooding.

Public Works Department

Newsletter

As your all are aware, Kent Kisselman is no longer with the city as your public works director. We are sorry to see him leave and wish him the best in the future.

At this time please feel free to contact me with any public works issues you may have, Joe Braccio Street/Facility's Superintendent.

pwstaff@cityofcentral.co

720-413-0974

Public works has been gearing up for winter to come. Staff has been working hard preparing the fleet and equipment for the snow season. This season is expected to be a higher than usual snow fall amount.

Public Works has been doing a very good job with keeping up with the ongoing storm events. We have been doing a good job at maintaining ditches and storm outlets, which has keep any flooding to a minimum. We are installing new culverts at Bald Mountain Road and Upper Apex Road to help manage the road from washing out and make for a smoother ride.

Staff has been working with the planning department on updating ours and the county GIS data base. This will insure that all right of ways and property lines are correct. This data is extremely valuable in future planning.

Public works staff and I will continue to work hard for our community in keeping it in the best condition possible.