

**CITY OF CENTRAL
CITY COUNCIL MEETING
October 2, 2012**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:01 p.m., in City Hall on October 2, 2012.

ROLL CALL

Present: Mayor Engels
Alderman Spain
Alderman Giancola
Alderman Voorhies

Absent: Alderman Lee

Staff Present: Manager Lanning
Attorney Michow
City Clerk Bechtel
Finance Director Flowers
CDD/HPO Thompson
Operations Director Kisselman
Utilities Superintendent Griffith
Police Chief Krelle
Fire Chief Allen

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

Attorney Michow included in Executive Session – waterline issue related to 206 E 3rd High Street.

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 20 and 27, 2012; the August Financial Report; and the City Council minutes of September 18, 2012. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

SECOND READING AND PUBLIC HEARING

Ordinance No.12-10: *An ordinance of the City Council of the City of Central, Colorado amending Section 2-2 of the Municipal Code Concerning the deadline for filing write-in candidate affidavits and cancelling elections.*

Attorney Michow explained that the purpose of the ordinance is to amend the Municipal Code to recognize that the deadline for write-in candidates to file affidavits of intent varies depending on whether the City is conducting the election as a municipal election under the Municipal Election Code or, as more frequently happens, as an election coordinated by the County Clerk pursuant to the Uniform Election Code. The current version of Section 2-2 of the Municipal Code only contemplates the deadline for non-coordinated elections. The language in this ordinance has also been amended since first reading to provide that elections may be cancelled when there are no more candidates for office by the close of business on the date that is the deadline for filing write in candidate affidavits of intent than there are open offices.

At 7:07p.m., Mayor Engels opened the Public Hearing, Receiving no comment, Mayor Engels closed the Public Hearing at 7:08p.m.

Alderman Voorhies moved to adopt Ordinance No.12-10: An ordinance of the City Council of the City of Central, Colorado amending Section 2-2 of the Municipal Code Concerning the deadline for filing write-in candidate affidavits and cancelling elections on second reading. Alderman Giancola seconded, and without discussion, the motion carried unanimously.

NEW BUSINESS

Sponsorship Report from CC Opera

Rita Sommers thanked Council and the City for their support and gave the annual summary as follows:

The City of Central provided a generous \$25,000 sponsorship in support of Central City Opera's 2012 Festival Season. The City received special recognition as a production sponsor in conjunction with *The Turn of the Screw* and as an event sponsor for "Central City Days." The staff and Board of Central City Opera are truly grateful to the City of Central for its support and to the staff for their friendly assistance and guidance.

The Festival – The 2012 Festival drew a total of 16,901 people to Central City this summer. This represents a 14% increase in tickets sold over 2011. Many of the main stage performances were nearly sold out. In 2011 we explored several avenues for incorporating additional performance and entertainment into the Festival with limited success. In 2012 we continued with expanded options focused on what we do best—opera—and presented two one-act operas in addition to the main stage productions and regular festival offerings, both of which sold very well.

Central City Days – The focus of the 2012 Central City Days was a one-day event of historic mountain adventures and cultural experiences in unique historic venues targeted to an adult demographic, a distinct shift from the two-day, family oriented event in its inaugural year (2011). This strategy showed merit as attendance increased by over 30%, from 74 attendees in 2011 to 100 attendees in 2012. The historic walking tours, talks by historian Tom Noel, short performances in Williams Stables, the Lemonade Lunch with historic storytellers, and the evening party were popular events. The addition of discounts at local businesses on the back of the Central City Days pass was also viewed very favorably by attendees.

Marketing initiatives included press release and calendar listings submitted to all appropriate websites (the event was mentioned in interviews on Channel 9 and 7); posters distributed throughout metro Denver and in Central City; rack cards distributed through Visit Denver locations, on the 16th Street Mall and through partner organizations; Living Social offer; print and online ads

in Westword, Boulder Weekly and The Denver Post; and web based marketing including event webpages, e-blasts, Facebook and Twitter posts.

In-kind sponsorships were provided by New Age Beverage, Oskar Blues Brewery, Dostal Alley, and Century Casino, which provided a generous spread of delicious food for the “Central City Days at Dusk” party and served as the official after party spot. Central City resident Marilyn Wilcox generously and graciously offered the use of the side yard of her home for the Dusk party. City staff helped negotiate complimentary use of the Greek lots for parking and incorporated loops to the lots into the Central City Shuttle schedule for the day. CCO provided honorariums for GCHS docents who led walking tours and provided tents for Gilpin Art Association artists who demonstrated their work in the Opera House patio.

While Central City Days has yet to achieve the attendance originally hoped for, we believe it merits another year of development based on the increase in attendance in 2012 and the momentum in partnerships. For 2013, we plan to combine Central City Days with the “Fest” event (SinFest in 2011 and Turn of the ScrewFest in 2012) with the theme of “Our Town,” attached to the opera production of the same name (*Our Town* by Ned Rorem, based on the Pulitzer Prize winning play by Thornton Wilder).

Ms. Sommers thanked city staff for their all their assistance.

Parking Garage Update

Joe Behm, BID President, explained that the discussion to build a parking structure began about a year ago. The hillside location has been chosen since it is the most central location with the most buy-in by existing casino owners. The next step in the process is working with property owners of the site to get them under contract. Then to establish an organization that will be the applicant for the financing, set the ordinance for device fees to guarantee the payment of the bonds, and begin the public process.

Presentation of 2013 Proposed Budget

Finance Director Flowers explained that in accordance with C.R.S. § 29-1-105, the budget officer for the City is required to submit the proposed budget for the following year to the City Council by October 15th. Presentation of the 2013 Proposed Budget does not mean that the budget has been adopted or that revisions cannot or will not be made prior to actual adoption. By formally presenting the 2013 Proposed Budget to Council the document becomes available for inspection by the public. Following this meeting a “Notice of Budget” will be published in accordance with C.R.S. § 29-1-106. The Notice of Budget must state that the budget is available for inspection by the public at City Hall, give the date and time of the budget hearing, and state that any interested elector may file objections any time prior to its adoption.

Based on previous discussions with Council during the budget work sessions, there will be a first reading and a second reading as well as a public hearing of the budget ordinance. It is expected that the 2013 Budget Ordinance will have its first reading on November 6, 2012. The public hearing will be held on November 20, 2012. Revisions can be made to the Proposed Budget at any time prior to final adoption on November 20, 2012.

All narratives and the Budget Message will be included for the first reading on November 6, 2012.

Please see Page 1, Consolidated Fund Statement for the total revenues and expenditures proposed for all funds in 2013.

- A 2% cost of living adjustment and a possible 3% merit increase are reflected for all salaries and wages.
- Council has specifically reserved \$100,602 of the General Fund, \$49,351 on the Conservation Trust Fund and \$127,424 of the Public Property Trust Fund for grant match funds.
- The Water Fund reflects a tiered water rate system for residential accounts with a base rate beginning at \$60.00, \$48.00 for seniors, and a commercial base rate of \$95.00 for up to 10,000 gallons.

Alderman Spain moved to accept the 2013 Proposed Budget making it a public document. Alderman Giancola seconded, and without discussion, the motion carried unanimously.

Ordinance No. 12-11: An ordinance of the of the City Council of the City of Central, Colorado regulating vehicles and traffic; amending certain provisions of Article 1 of Chapter 8 of the Municipal Code concerning the Model Traffic Code; adopting the revised 2010 Model Traffic Code for Colorado by reference with amendments; setting forth in full the penalty clause; and setting forth details in relation thereto.

Attorney Michow explained that the purpose of this Ordinance is to adopt the 2010 Model Traffic Code. The Central City Municipal Court (the “Court”) and the Police Department (“CCPD”) have requested that the City adopt the 2010 Model Traffic Code. A public hearing on the adoption of the 2010 Model Traffic Code will be required after introduction of the Ordinance on first reading, but before adoption on second reading. Specific forms of public notice are required. City Staff will coordinate the notice and hearing requirements to comply with State law. City Council has authority to adopt by reference published compilations of regulations adopted by other political subdivisions of the State pursuant to Part 2, Article 16 of Title 31, Colorado Revised Statutes.

The Model Traffic Code was developed to make available a specimen set of motor vehicle and traffic regulations that track State law. The Model Traffic Code for Colorado was originally adopted by the Colorado Department of Transportation in 1952, and was subsequently revised in 1962, 1966, 1970, 1973, 1974, 1977, 1995, 2003, 2009, and 2010. The City adopted the 2003 Model Traffic Code in 2005 (by Ordinance 05-11).

Many jurisdictions determined not to adopt the 2009 edition due to identified errors. The 2010 edition of the Model Traffic Code corrected most of the errors contained in the 2009 edition and has been adopted by the Colorado Transportation Commission and many jurisdictions throughout the State. The 2010 edition of the Model Traffic Code reflects changes to the traffic laws by the Colorado General Assembly since the 2003 edition.

To meet the City’s specific needs, it will be necessary to make several deletions, additions, and modifications to the 2010 Model Traffic Code through the proposed Ordinance (Ordinance 12-11). Modifications to the 2010 Model Traffic Code include the following:

- Section 236 of the Model Traffic Code was amended to reflect the current version of C.R.S. § 42-4-236, which includes changes that were made during the 2011 legislative session.

- Section 1701 of the Model Traffic Code, which classifies and sets penalties for traffic offenses, will not be adopted because the City (through the Court) separately establishes its own fines and penalties.
- As set forth in the proposed Ordinance, the Court is vested with authority to amend the Fine Schedule. Further, the City Council may, from time to time, amend the Fine Schedule by resolution duly adopted.
- Section 1702 of the Model Traffic Code, which establishes traffic offenses for counties, will not be adopted because it is irrelevant to the City.
- Sections 1705 and 1707 of the Model Traffic Code (establishing the summons and other court procedures) have been reinserted.

Ordinance 12-11 has been reviewed by the administrator of the Court as well as representatives from the CCPD.

Alderman Voorhies moved to adopt Ordinance No. 12-11: An ordinance of the of the City Council of the City of Central, Colorado regulating vehicles and traffic; amending certain provisions of Article 1 of Chapter 8 of the Municipal Code concerning the Model Traffic Code; adopting the revised 2010 Model Traffic Code for Colorado by reference with amendments; setting forth in full the penalty clause; and setting forth details in relation thereto and setting the public hearing has for November 6, 2012 at 7:00 p.m. Alderman Spain seconded, and without discussion, the motion carried unanimously.

STAFF REPORTS

Alderman Voorhies thanked Operations Director Kisselman and the Public Works crew for their efforts on clean-up day.

COUNCIL COMMENTS

Alderman Voorhies thanked Finance Director Flowers for all her work on the budget.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Ann Dodson, owner of G.F. Gaming LLC, congratulated the City on the Streetscape award and stated that a goal for the project was to make our downtown more comfortable for the guests. The benches chosen by the committee for this project are very cold and hard so placing cushions would be a solution for this but she has been told they are not allowed. Council, by consensus, then directed staff to present options at a work session.

At 7:42 p.m., Alderman Voorhies moved to adjourn into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) for purposes of receiving legal advice concerning the Ballowe litigation and the water line at 206 E 3rd High Street. Alderman Spain seconded, and without discussion, the motion carried unanimously.

The next Council meeting is scheduled for October 16, 2012 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk