CITY OF CENTRAL, COLORADO

NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on

Tuesday, March 7, 2017 @ 7:00 p.m.
Gilpin County Courthouse
203 Eureka 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 website, the City Hall bulletin board and at the Post Office the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.

2. Roll Call.
   Mayor
   Mayor Pro-Tem
   Council members
   Kathryn Heider
   Shirley Voorhies
   Judy Laratta
   Jeff Aiken

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 through February 1; and
   City Council minutes: January 3, 2017; and

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.

PUBLIC HEARING –


ACTION ITEMS: NEW BUSINESS –

8. Main Street Central City Annual Report – Barbara Thielemann, Chair

REPORTS –

9. 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).

EXECUTIVE SESSION –
Pursuant to C.R.S. Section 24-6-402(4)(e) for the purposes of developing strategies relative to matters that may be subject to negotiations; developing strategies for negotiations; and instructing negotiators regarding potential sale of City-owned property.

ADJOURN. Next Council meeting March 7, 2017.
AGENDA ITEM # 7
CITY COUNCIL COMMUNICATION FORM

FROM: Jason Nelson, Utilities Director
THROUGH: Marcus McAskin, City Attorney
DATE: February 21, 2017
ITEM: Ordinance 17-01 Amending Section 13-2-120 of the Municipal Code and the Water General Rates for Water Services

_____X_____ ORDINANCE
_____ MOTION
_____ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 17-01 approves certain amendments to Section 13-2-120 of the Municipal Code ("Water meters") and amends the Water General rates for water services. One purpose of the Ordinance is to clarify the roles and responsibilities of the City and residents regarding water meters. The other purpose of the Ordinance is to correct the City's Water General rates, which were updated with incorrect amounts through Ordinance 16-06. If the proposed Ordinance is adopted by City Council, the correct Water General rates would become effective on March 15, 2017. All other water fees, rates and charges implemented by Ordinance 16-06 will remain effective unless modified in the future by ordinance of City Council.

II. RECOMMENDED ACTION / NEXT STEP: Following the Public Hearing, approve Ordinance No. 17-01 on second reading. First reading of the Ordinance was on Tuesday, February 21, 2017.

III. BACKGROUND INFORMATION: The City installed water meters on residential and nonresidential properties within its jurisdiction in 2012 for billing purposes. Each property owner owns the water meter for his or her property and is responsible for any damage to or loss of the meter caused by vandalism, malicious mischief, theft, freezing, hot water, tampering, casualty other than ordinary wear and tear or any willful act, neglect, or carelessness of the owner or occupant of the property. However, the City Code allocates responsibility for maintaining those water meters to the City.
The proposed amendments clarify the roles and responsibilities of the property owners and the City regarding the water meters. The amendments make it clear that (1) even though the City maintains the water meters, property owners are responsible for damage to any person or property resulting from the water meter or meter pit; (2) the City will be partially or wholly responsible for damage to or loss of a water meter that is caused by an act or omission of the City as determined by the City Manager; and (3) water meters remain the property of the property owners if the water meters are relocated by the City for the purposes of managing, operating, or maintaining the meters as authorized by the City Code.

The changes to the City Code incorporated in Ordinance No. 17-01 were discussed with City Council at the February 7, 2017 work session.

IV. **FISCAL IMPACTS:** None.

V. **LEGAL ISSUES:** None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:

1. Adopt Ordinance No. 17-01 on first reading, as may or may not be amended;

2. Direct staff to make revisions to the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for first reading; or

3. Reject or deny the Ordinance.

**RECOMMENDED MOTION:** “I MOVE TO APPROVE ORDINANCE NO. 17-01, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING SECTION 13-2-120 OF THE MUNICIPAL CODE AND THE WATER GENERAL RATES FOR WATER SERVICES.”

**Attachments:**

- Ordinance 17-01 (for second reading)
CITY OF CENTRAL, COLORADO
ORDINANCE 17-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AMENDING SECTION 13-2-120 OF THE MUNICIPAL CODE
AND THE WATER GENERAL RATES FOR WATER SERVICE

WHEREAS, the City of Central ("City") is authorized under its home rule charter and
Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of
governmental administration and the City’s police powers; and

WHEREAS, the City Council desires to clarify the roles and responsibilities of the City
and residents regarding the water meters currently referenced in Section 13-2-120 of the
Municipal Code; and

WHEREAS, Section 12.3 of the Home Rule Charter requires that rates for services
provided by City-owned utilities be established by the City Council by ordinance; and

WHEREAS, Section 13-2-320(a) of the Central City Municipal Code provides that the
City shall from time to time set water rates and charges by ordinance; and

WHEREAS, the City Council last updated and amended its water rates in December
2016 by passage of Ordinance No. 16-06, and the new rates became effective on January 1,
2017; and

WHEREAS, the “Water General” rates set forth in Ordinance 16-06 were incorrect; and

WHEREAS, the City Council desires to amend the City’s “Water General” water rates to
reflect the correct rates; and

WHEREAS, the City Council desires to establish by this Ordinance the “Water General”
water rates, to be effective as of March 15, 2017; and

WHEREAS, City Council conducted a public hearing, with proper notice provided, to
consider adoption of this Ordinance as required by law.

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

Section 1. Section 13-2-120 of the Municipal Code, titled “Water meters” is hereby
amended to read in its entirety as follows, with bold and underlined text showing additions:

(a) Requirement. Every licensed premises shall be required to have a water meter of a
size, type and quality approved by the City to be read for billing purposes. Such
meter shall be owned by the owner. For existing premises without water meters as
of December 31, 2010, the cost of the meter shall be borne equally by the City and
the owner pursuant to a City-adopted cost-sharing policy; installation shall be
performed by the City at the City's expense. For existing nonresidential premises
without water meters as of December 31, 2010, the cost of the meter shall be borne by the owner and installation shall be performed by the City at the owner's expense. All new premises after December 31, 2010, shall be required to install water meters of a size, type and quality approved by the City at the owner's expense. Removal of water meters shall be performed only by the City.

(b) City access to property. An owner shall allow the City access to the owner's property for meter installation, inspection and maintenance or replacement upon seventy-two (72) hours' advance written notice by the City. The City may terminate water service to a property in accordance with Section 13-1-640 of this Chapter if the owner refuses access or otherwise fails to cooperate with respect to meter installation, inspection and maintenance or replacement.

(c) Location. All meters shall be located as provided in the design standards.

(d) Maintenance. In order to provide for the accurate measurement of water through each meter, the City maintains all meters which are read for billing purposes against ordinary wear and tear. Meters in need of maintenance, testing or replacement because of obsolescence or normal wear and tear will be removed and replaced with a properly maintained and tested meter of corresponding size and type. The cost of meter repair or testing, as well as the purchase of replacement meters, shall be borne entirely by the owner. Installation, removal and associated costs shall be borne entirely by the owner. Removal and repair of water meters shall be performed only by the City. Regardless of any maintenance services provided by the City under this section, the owner shall be responsible for all damage to person or property resulting from the owner's meter or meter pit.

(e) Damage. The customer shall be financially responsible for any damage to or loss of the meter caused by vandalism, malicious mischief, theft, freezing, hot water, tampering, casualty other than ordinary wear and tear or any willful act, neglect or carelessness of the owner or occupant of the licensed premises. When a meter has been damaged as a result of any of such causes, the customer shall bear the entire expense of removing, repairing, resetting and replacing the customer's meter. When the damage to or loss of the meter is determined by the City Manager to have been caused by an act or omission of the City, the City shall bear some or all of the costs associated with the meter repair in an amount determined by the City Manager. The total amount of the City's portion of the repair cost shall be documented in writing by the City Manager or the City Manager's designee.

(f) Relocation. When required for the proper management, operation or maintenance of the City system, the City may, at its expense, relocate meters or modify meter settings. All meters so relocated shall remain the property of the owner.

(g) Tampering. All meters, meter pits, the curb stop box and the water shutoff from the main must be kept free of obstructions or any materials which may obstruct or hinder access thereto by authorized personnel. It shall be unlawful to tamper with, deface, remove, manipulate, alter or affect the functionality of a water meter or
water shutoff from the main.

(h) Annual inspection. Annual inspection of meters may be conducted by the City.

Section 2. Pursuant to authorization in the City’s Home Rule Charter and Municipal Code, and effective as of March 15, 2017, the City Council hereby adopts the Water General fees, rates and charges attached hereto as Exhibit A and incorporated herein by reference.

Section 3. The water fees, rates and charges set by this Ordinance shall supersede and replace any fees, rates or charges previously set or adopted by the City Council for the same purpose. All water fees, rates and charges set by Ordinance 16-06 and not amended by this Ordinance shall remain in effect. However, the water fees, rates and charges set by this Ordinance shall not be deemed to release, extinguish, alter, modify or charge in whole or in part any liability which shall have been previously incurred, and the superseded or replaced fees, rates or charges shall be treated and held as remaining in force for the purpose of sustaining any judgment, decree, or order related to any past due water account.

Section 4. The water fees, rates and charges set forth in Exhibit A attached hereto shall be adjusted for inflation on January 1, 2018, and on January 1 of each year thereafter based on the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder, all items, all urban consumers, or its successor index for Denver-Boulder-Greeley, all items, all urban consumers, or its successor index (the “CPI”), as measured from the first half of 2016 to the first half of 2017 and each successive 12-month period thereafter. By way of example, the adjustment in water fees, rates and charges effective on January 1, 2019 shall be calculated utilizing the increase in the CPI as measured from the first half of 2017 to the first half of 2018. If the CPI indicates a zero or negative adjustment, the water fees, rates and charges shall not be adjusted but shall remain fixed at the rates applicable in the immediately preceding calendar year.

Section 5. 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 6. 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 7. 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 21st day of February, 2017, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

_____________________________
Kathryn A. Heider, 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 7th day of March, 2017.

CITY OF CENTRAL, COLORADO

_____________________________
Kathryn A. Heider, Mayor

ATTEST:

_____________________________
Reba Bechtel, City Clerk
POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on ______________, 2017.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on ______________, 2017.

CITY OF CENTRAL, COLORADO

______________________________
Kathryn A. Heider, Mayor

ATTEST:

______________________________
Reba Bechtel, City Clerk
## EXHIBIT A

### CITY OF CENTRAL

### WATER RATES

Effective **March 15, 2017**, Water General rates for all accounts inside City limits are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>N/A</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>N/A</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### MARCH 15, 2017 WATER RATES – WATER GENERAL

<table>
<thead>
<tr>
<th>RATE ($/1,000 gallons)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$64.00</td>
<td></td>
</tr>
</tbody>
</table>
To: Mayor Heider, City Council, and City Manager Miera

From: Reba Bechtel, City Clerk

Date: March 7, 2017

Re: Bi-weekly Report

- Prep for the Regular Council meeting of 3/7.
- Prepped for and will attend HPC 3/8.
- Attended Design Guidelines work session on 2/23.
- Processed liquor application for Gregory Street Investors LLC dba Reserve Casino Hotel at 321 Gregory and issued the temporary liquor permit
- Provided documents to auditors
- Ongoing processing business license renewals with a new feature to renew online from the City website.
- Misc information regarding: sign permits, special events, building permits, code questions, HP, records response, liquor, and marijuana.
To: Central City Council  
From: Ray W. Rears, Community Development Director  
Date: March 7, 2017  
Re: Department Update

Development
1) GIS Services – Revised parcel layer has been released along with some utility lines
   a. Correcting parcel boundaries
2) Comp Plan/Zoning Code / Design Guidelines –
   i. Next meeting will be held on March 22nd – Land Use Code
3) CDBG – Resilience Project.
   a. Final Steering Committee Meeting – March 16th
4) Wayfinding Signage – Message being evaluated.
5) Cemetery fence project –
   a. Will be drafting letter to adjacent owners soon
   b. Will schedule join City/County once contractor is selected
6) Marijuana Suspension – Options/data being pursued
7) UNC Survey – Event impact for businesses and citizens underway
8) Enterprise Zone – Material Submitted to State – Expected EZ inclusion to be review in March
9) Various initial development/building inquires addressed.

Historic Preservation
1) Belvidere Theater
   a. RFP – Expected to be released this week
   b. Contractor to pursue other funding opportunities contacted
2) Washington Hall RFP – Work continues
   a. Paint analysis contractor contacted
3) Historic Preservation Tax Credits – Now promoted on City website
4) HPC Cases YTD- 2

Code Enforcement
1) Work continues on reported violations
   a. Court Case YTD – 1 conviction/fine

IT/Web/Audio Visual
1) Website, Facebook and Twitter internal administration continues.
2) Channel 20 – Taken down temporarily due to City Hall repair
3) Comp Plan / Resiliency Project tab added has been updated with latest information
4) Projects Update tab added to Com Dev Page
Events / Marketing

1) Billboard
   a. Currently working on repairs of lighting – Scheduled for March 6th

2) Central City App – Mobil Town Guide developed and can be download – “Mobile Town Guide Central City”
   a. Working on an interactive walking tour of the City
   b. All business directories uploaded
   c. Graphic art images have been created and uploaded

3) Short Promotional Videos are planned with two firms as well as the Opera

4) Pursuing Creative District Designation/grant – being pursued

5) Central City Opera Picnic Options being pursued

6) Mainstreet Central City
   a. Mini-grant pursued –
      i. training –
      ii. façade project reimbursement –
      iii. Commercial Building Inventory

7) Creating Full 2017 Marketing Plan
   a. 118 Radio Spots purchased to promote Central City
   b. June – Sept. - 950am Altitude Sports, Kool105, Mix 100 & 92.5 Wolf

Staffing

1) Evaluating addition contractor services for Belvidere and Special Projects

2) Management of consultant contracts

3) Ongoing employee wellness program.
To: Daniel R. Miera, City Manager
Cc: Mayor and Council
From: Abigail R. Adame, Finance Director
Date: March 7, 2017
Re: Staff Report

➢ Finance

• Continued providing information to the State Auditor team regarding the Historic Preservation Fund.

• Began preparing information for the 2016 audit. Auditors completed the first phase of the audit. The final phase will be completed the week of April 24.

• Please note, the utility bill mailed on March 1 included notice of the City’s intent to enforce Section 13-1-480 (5) of the Code. This is related to the City’s authority to shut-off water services on 60 day delinquent accounts. As of April 1, the Finance Department will begin adhering to the 60 day delinquent account water shut-off process.

➢ Human Resources

• Met with Cristina with CIRSA regarding the 2017 audit.

• Drafted a Safety Policy Statement for the City Manager’s approval.
To: Mayor Heider, City Council, and City Manager
From: Sam Hoover, Public Works Director
Date: March 2, 2017
Re: Bi-weekly Report

Since our last council update, public works staff has performed the following activities:

- Resolved the lighting issue at the Boodle by removing the light
- Completed demolition of damaged areas at City Hall that were caused by the water leak
- Rebuilt the lobby area of City Hall that was impacted by the flood (the carpet will be replaced in April)
- Experimented with straight Ice-Slicer during February 23rd-24th snow storm: the results were faster melting of snow and ice, and no sand debris on the streets after the storm
- Prepared and posted an RFP to remodel/repair the remainder of City Hall that was impacted by the water leak