

**CITY OF CENTRAL
CITY COUNCIL MEETING
March 19, 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 March 19, 2013.

ROLL CALL

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

Absent: None

Staff Present: Manager Lanning
City Clerk Bechtel
Attorney McAskin
Finance Director Flowers
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

Mayor Engels amended the agenda to add 9(a). The approval of the Energy and Mineral Impact Grant application for the Parkway resurfacing project.

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 February 21, 28, March 7, and 14, 2013; Revenue and Expenditure Report to March 14 and the City Council minutes of February 19, 2013. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

NEW BUSINESS

Appoint Representative to the I-70 Coalition

Alderman Gaines offered to serve as the representative. Alderman Voorhies moved to appoint Glo Gaines as the representative to the 1-70 Coalition. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-04: *An ordinance of the City Council of the City of Central, Colorado adopting a noxious weed management plan, regulating the growth of weeds and repealing and replacing Article IV of Chapter 7 of the Municipal Code.*

Attorney McAskin explained this ordinance which adopts a noxious weed management plan and regulates the growth of other weeds to a maximum height of twelve (12) inches. Previously, noxious weed management within the City was addressed through an intergovernmental agreement with Clear Creek County. That IGA is scheduled to terminate on June 30, 2013.

The City is required by State law (C.R.S. § 35-5.5-101, et seq., the “Colorado Noxious Weed Act” or “Act”) to adopt a noxious weed management plan for all property within the City. The Act also requires the City to appoint a local advisory board to prepare a noxious weed management plan to govern the management, control, elimination, and disposal of noxious weeds within the City. The Adoption of the proposed ordinance will satisfy the requirement under the Act to adopt a noxious weed management plan.

The fiscal impact of the proposed Ordinance will be dependent on the number of violations and the City Staff’s involvement in enforcement (or the City’s agents or others delegated authority to enforce the noxious weed management regulations).

Costs related to mitigation of noxious weeds, as set forth in the proposed Ordinance, are ultimately the responsibility of the landowner violating the regulations. If not paid when due, the proposed ordinance authorizes the City to record a statement of lien with the Gilpin County Clerk and Recorder. Obviously, if mitigation costs are not paid by a landowner that has violated the Ordinance, the City will incur certain carrying costs (until such date as the lien is satisfied). As set forth above, noxious weed management within the City has previously been addressed through an intergovernmental agreement with Clear Creek County. The Clear Creek County IGA is scheduled to terminate on June 30, 2013. Instead of renewing the IGA, selected members of City Staff (Public Works Department) will be licensed to apply pesticides and authorized to undertake other weed mitigation techniques following successfully completing the State’s commercial pesticide applicator exam. Staff believes that this approach will allow Staff to be more responsive to weed management issues in the community. Instead of County representatives (or CDOT representatives) doing mitigation work on the Parkway, the weed management activities within the community will be managed and overseen by City Staff.

Alderman Gaines moved to approve Ordinance 13-04: An ordinance of the City Council of the City of Central, Colorado adopting a noxious weed management plan, regulating the growth of weeds and repealing and replacing Article IV of Chapter 7 of the Municipal Code and set the Public Hearing for April 2nd at 7:00 p.m. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-05: *An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Chapter 13 of the Municipal Code concerning municipal utilities; specifically regulations pertaining to the city water system.*

Attorney McAskin explained Ordinance No. 13-05 proposes minor revisions to Chapter 13 of the Municipal Code, pertaining to the City's water system. The City Council adopted Ordinance No. 12-08 on August 7, 2012, which Ordinance repealed and replaced Chapter 13 of the Municipal Code. The minor revisions set forth in Ordinance 13-05 are being proposed by the Public Works Department in order to conform the regulations to current City practices and policies.

The minor revisions to Chapter 13 addressed in Ordinance 13-05 include the following:

- Adding a definition of *corporation stop* or *saddle/corporation stop* to Chapter 13; and
- Amending Section 13-111 to clarify that that customers are responsible for the ownership and maintenance of service lines from the corporation stop to the licensed premises (to be consistent with the definition of service line set forth in Chapter 13).

Alderman Spain moved to approve Ordinance No. 13-05: An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Chapter 13 of the Municipal Code concerning municipal utilities; specifically regulations pertaining to the city water system and set the Public Hearing for April 2nd at 7:00 p.m. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Energy and Mineral Grant Application

Manager Lanning explained that this application is deadline is on April 2nd. This is for the second round of Energy and Mineral Grant applications. The application will be for \$1,250,000 with a request for \$700,000 and a \$549, 204 City match. This project is to fix specific trouble spots and do a complete chipseal of the Parkway. We currently have \$257,000 left in the budget for grant match so the remainder will come from the Public Property Trust Fund, the General Fund, and the Historic Preservation Fund.

Alderman Voorhies moved to approve the State of Colorado Energy and Mineral Impact Grant application for the Central City Parkway resurfacing project. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

STAFF REPORTS

Manager Lanning reported that the he will attend the grant presentation tomorrow with Operations Director Kisselman.

COUNCIL COMMENTS

Alderman Voorhies stated that she had heard from citizens regarding the bus shelters that the City recently removed and has been assured by Manager Lanning that this would be revisited. Also, she wanted to assure everyone that Main Street will not be closing for the summer. Alderman Voorhies offered information on the egg coloring and Easter egg hunt sponsored by the Elks.

Alderman Gaines offered information on the GHS events coming up: April 6th is the radio shop featuring 1861 and August 24th is the Cemetery Crawl.

Alderman Heider attended the Gilpin County Commissioners breakfast meeting for an update on County issues. She also questioned the resident concerns for the meter reading problems and asked Manager Lanning if staff has worked with the homeowner to discover the reason for problems.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Mary Laffey, 221 W 4th High Street, cited concern for the difference between the commercial and residential billing for included gallons, summer watering, cost to residents for unknown leaks, and business cost for water which had huge increases. Ms. Laffey had questions regarding the reasons for the increase and when rates would be reconsidered. She also suggested as solutions including to revert to the old rates until the new rates can be reviewed, that the city provide information to help residents conserve water, and also that the rates be significantly decreased.

Betty Mahaffey, 205 Eureka Street, stated she has not personally been impacted by the new rates but does not see that the City is concerned by this residential problem and the City should find a way to help the residents.

At 7:43 p.m., Alderman Voorhies moved to recess into Executive Session Pursuant to C.R.S. 24-6-402(4)(e) to instruct negotiators concerning City Manager contract and reconvene if needed. Alderman Spain seconded, and without discussion, the motion carried unanimously.

The next Council meeting is scheduled for April 2, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk