CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, April 4, 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 Kathryn Heider
           Mayor Pro-Tem Shirley Voorhies
           Council members 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 March 22; and
   City Council minutes, February 21 (amended) and March 21, 2017

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 —

7. Ordinance No. 17-02: An ordinance of the City Council of the City of Central, Colorado amending Ordinance 98-29, an ordinance Organizing the Central City Business Improvement District and Approving the Election of an Initial Board of Directors Therefore. (Miera)

ACTION ITEMS: NEW BUSINESS —

8. Planning Commission Appointment for 1 alternate – Christine Jackie Mitchell, Sharon Cate


REPORTS —
10. 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 April 18, 2017.

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.
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Grand Totals: 56,169.34
CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Heider at 7:00 p.m., in Gilpin County Courthouse on February 21, 2017.

ROLL CALL
Present: Mayor Heider
Alderman Laratta
Alderman Aiken

Absent: Mayor pro tem Voorhies

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Finance Director Adame
Community Development Director Rears
Public Works Director Hoover
Fire Chief Allen
Utilities Director Nelson
GCSO Captain Ihme

EXECUTIVE SESSION
Alderman Aiken moved to go into Executive Session pursuant to C.R.S. 24-6-402(4)(b) to discuss specific legal questions regarding the statutory process to exclude property from the boundaries of a business improvement district and to discuss specific legal questions regarding the Central City Building Authority. I further move to reconvene the February 21, 2017 regular City Council meeting at the conclusion of the Executive Session in order to continue with the agenda items set forth on the regular meeting agenda. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

At 7:28 p.m., Mayor Heider reconvened regular session.

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA
The agenda was approved as presented with the addition of Resolution No. 17-10.

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

CONSENT AGENDA
Alderman Laratta moved to approve the consent agenda containing the regular bill lists through February 8; and City Council minutes for the meeting on January 3, 2017. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION
CC Minutes 2/21/2017
Joe Behm, CCBID, stated opposition to Resolution No. 17-07 regarding the Petition for Exclusion. The CCBID is questioning the Council’s ability to approve an Exclusion without prior review from the CCBID and a Public Hearing. The properties shown are already tax exempt.

Tom Feeney, Black Hawk, asked for information regarding handicap parking on Pine Street.

**ACTION ITEMS: NEW BUSINESS**

**Gilpin Historical Society Annual Report**

Deb Wray, President, reported that in 2016, the Gilpin Historical Society operated the Gilpin History Museum, the Coeur d'Alene Mine Shaft House Museum, and led tours of the Teller House, Opera House and Thomas House from our Tour Office in Washington Hall. We also hosted two Victorian teas at the Stroehle House in Black Hawk, put on the annual Cemetery Crawl at the Russell Gulch Cemetery, took part in the Creepy Crawl, and worked with other nonprofits throughout the year. Over 4,000 people took part in our events and visited our museum in 2016.

Since the fall of 2011, Central City has helped fund the cost of keeping one of our docents at Washington Hall year round in order to lead tours of the Teller House, Opera House and Thomas House. In 2016, our docents led 1,216 tours of the Teller House and Opera House (an increase of 149 people) and 469 paid tours of the Thomas House (an increase of 58). As part of our Free Day on June 4 an additional 71 people toured the Thomas House. In addition, docents led 307 tours of the Face on the Barroom Floor and 1,275 people visited our Tour Office and the Justice Exhibit there without taking an additional tour. This would not have been possible without funding from city and we greatly appreciate it, both in the past and going forward.

Gilpin Historical Society continues to explore options for becoming more self sustaining in the future so that we do not need to rely on city funding. In addition to trying new marketing options (some of which were not as effective as others in 2016), we are also continuing to look into grant possibilities. We identified a few possible grant sources last year but the deadline had past to apply. We will be applying in 2017. Marketing and drawing a larger audience is likely to be our best source of revenue and we are constantly working on this. We plan to extend the Museum hours to be open through September. Thank you for your continued support of the Gilpin Historical Society and our mission of preserving and exhibiting Gilpin County's history.

**Appointment to Main Street Commission** – Mike Keeler and Alan Tiefenbach

Alderman Laratta moved to appoint Mike Keeler to the Main Street Commission. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

**Resolution No. 17-06: A resolution of the City Council of the City of Central, Colorado amending the boundaries of the Creative District and supporting an application to the State of Colorado Creative Industries Division to receive certification as a State-Certified Creative District.**

CDD Rears explained that the proposed resolution amends the boundaries of the Creative District and authorizes City staff to facilitate direction of the Certified Creative District in order to collaboratively grow the economy of Central City, with a focus on highlighting and capitalizing on the existing artistic and cultural assets of the community. The City will apply for a Certification Grant of $10,000 provided by Colorado Creative Industries.

On December 17, 2013, Resolution 13-26 was adopted on with creative boundaries outlining all
City boarders and approved CEDA (Cultural Economic Development Association) to direct all activities for the Creative District Certification. This amendment places specific focus on the Historic Downtown corridor and allows City Staff to apply to CCI for state-certification. The district is focused around the hubs of key cultural assets that are already generating substantial visitation: Central City Opera, Art Galleries, The Scarlets Entertainment Venue and The Belvidere Theatre.

Alderman Aiken moved to approve Resolution No. 17-06: A resolution of the City Council of the City of Central, Colorado amending the boundaries of the Creative District and supporting an application to the State of Colorado Creative Industries Division to receive certification as a State-Certified Creative District. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 17-07: A resolution of the City Council of the City of Central, Colorado authorizing the City manager to execute a Petition for Exclusion of property from the Central City Business Improvement District.
City Manager Miera explained that this resolution authorizes the City Manager to imitate and execute a Petition for Exclusion to exclude City Property from the boundaries of the BID and noted that City staff does not see a need to table this item as requested by Joe Behm since the proposed resolution does not actually include a petition for exclusion and should a petition come forward, it would include a public hearing.

Alderman Laratta moved to approve Resolution No. 17-07: A resolution of the City Council of the City of Central, Colorado authorizing the City manager to execute a Petition for Exclusion of property from the Central City Business Improvement District. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

Resolution No. 17-08: A resolution of the City Council of the City of Central, Colorado conditionally approving an Easement Agreement with Verizon Wireless (VAW) LLC d/b/a Verizon Wireless to grant an easement for electrical service to 2189 East Idaho Springs Road. CDD Rears explained that Verizon Wireless is planning on installing a new telecommunications facility at the base of the Central City Parkway (but outside Central City) and they are requesting a small easement (approx. 140 sq. ft.) to connect this proposed site to an existing transformer along the Parkway for the purpose of providing power to the facility. Additional points to consider include:
- Resolution No. 15-06 – Central City Interim Community Economic Development Strategic Plan Weaknesses identified included “Cellular Infrastructure”.
- 2003 - Central City Comprehensive Development Plan – No direct mention of cellular coverage though the capacity of phone coverage should be expanded.
- This request will increase cell phone coverage at the base on the Central City Parkway/I-70 corridor.
- The applicants request for the new telecommunications facility is currently under review by Clear Creek County
- The City will receive $500 compensation for this easement.

Alderman Laratta moved to approve Resolution No. 17-08: A resolution of the City Council of the City of Central, Colorado conditionally approving an Easement Agreement with Verizon Wireless (VAW) LLC d/b/a Verizon Wireless to grant an easement for electrical service to 2189 East Idaho Springs Road with the conditions: (a) Verizon has provided the final executed Lease Agreement for the Premises to the City’s Community Development Director; (b) the payment referenced in Section 1 of the Easement Agreement has been received by the City; and (c)
Exhibit “A” to the Easement Agreement has been prepared by a Colorado licensed surveyor in a form acceptable to the City; and (d) all expenses incurred by the City in reviewing and processing this request shall be paid to the City. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

Resolution No. 17-09: A resolution of the City Council of the City of Central, Colorado approving a Marketing Fee Collection Agreement with the Central City Business Improvement District.

City Manager Miera reviewed the background as follows:

The Central City Business Improvement District (“CCBID”) has requested that the City of Central (“City”) serve as its Collecting Agent, in exchange for a fee, to collect a properly imposed CCBID Marketing Fee from Central City casinos.

Beginning in 2012, the City collected a City Marketing Fee from Central City casinos, and the CCBID coordinated a cooperative marketing and advertising program for the casinos using the City Marketing Fee funds, in accordance with an Intergovernmental Agreement (“IGA”) between the parties. The term of the IGA was extended each year thereafter, until it was allowed to expire on December 31, 2016.

Pursuant to its authority under the Business Improvement District Act, the CCBID has the ability to impose a fee to cover marketing and advertising expenses within the District (“CCBID Marketing Fee”). The CCBID has decided to impose a fee upon Central City casinos based on the number of gaming devices in each casino to cover such costs. And, the CCBID has requested that the City collect the CCBID Marketing Fee on its behalf in the same manner that the City previously collected the City Marketing Fee; the CCBID has agreed to compensate the City for this service in an amount equal to 3.33% of all fees collected.

The 3.33% administration fee should be sufficient to cover the City’s administrative costs for this program. However, should the City find at any time that its costs exceed the administration fee revenues; staff can raise the issue for negotiation with the CCBID. Holding constant an estimate of 1,900 total devices, and a proposed fee ranging between $5 and $7, the City could potentially recognize revenues ranging between $3,796 and $5,315 each year.

Alderman Aiken asked Mr. Behm if he is OK with this agreement. Mr. Behm responded that the CCBID approves of this agreement.

Alderman Laratta moved to approve Resolution No. 17-09: A resolution of the City Council of the City of Central, Colorado approving a Marketing Fee Collection Agreement with the Central City Business Improvement District. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

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 service. Utilities Director Nelson reviewed the background for Ordinance No. 17-01 which 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.

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.

Alderman Aiken moved 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 service and set the second reading and Public Hearing for Tuesday, March 7, 2017 at 7:00 p.m. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 17-10: A resolution of the City Council of the City of Central, Colorado, appointing new Directors to the Board of Directors of the Central City Building Authority. Attorney McAskin explained that Resolution 17-10 (“Resolution”) appoints three (3) new members to the Board of Directors of the Central City Building Authority (the “Corporation”). The Corporation was formed in 1995 to issue Certificates of Participation, Series 1995 (the “Certificates”) used to acquire the historic Nevada House property, which houses City Hall. The Certificates were issued March 15, 1995, in a principal amount of $600,000 and matured on December 1, 2004. The City Hall property was used as security for the Certificates. Review of audited financial statements of the City show that the Certificates were paid in full in 2004. The City entered into a Master Lease Purchase Agreement with the Corporation dated March 15, 1995 (the “Master Lease”) and the Corporation’s interest in the Master Lease was assigned to The Bank of Cherry Creek, N.A., as Trustee. Section 12.01(b) of the Master Lease sets forth that “[t]he Corporation shall transfer and convey [City Hall] to the City . . . if and when . . . the City shall have paid all Base Rentals set forth in [the Master Lease] for the entire maximum Lease Term and all Additional Rentals, then due, up to the amount specifically appropriated for the payment of Additional Rentals.”

As set forth above, the Certificates were paid in full in 2004. Based upon the property records of Gilpin County, it appears that the Corporation never conveyed City Hall back to the City following the end of the Master Lease, once the Certificates were paid in full.

The appointment of new members of the Board of Directors of the Corporation will allow the Corporation to formally take action to convey City Hall back to the City. Following appointment of the new Board, the Corporation will take formal action as necessary to convey City Hall back to the City (as specifically required by the terms of the Master Lease). This is an administrative
step that should have occurred back in the 2004-05 timeframe, following the date on which the Certificates issued to finance the acquisition and remodeling of City Hall were fully paid.

Alderman Aiken moved to approve Resolution No. 17-10: A resolution of the City Council of the City of Central, Colorado, appointing new Directors to the Board of Directors of the Central City Building Authority. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

REPORTS – Handicap space on Pine Street
Public Works Director Hoover gave an update on the request for a handicap space on Pine Street. Since there are no guidelines for disabled parking on City streets, staff has determined that due to the condition of the street and steep slope with a narrow sidewalk that also has obstructions, the proposed location is not recommended to be designated as a disabled parking space. By marking the location for Disabled Parking, it indicates that this is safe and staff has determined that it is not safe and creates a City liability.

Mayor Heider questioned if a reserved space for the Elks would be possible. Manager Miera added that similar to the Reserve with designated bus parking, which may also be used by other vehicles, the City does not want to expend resources to respond to calls related to other vehicles parking in that designated area. Also, this is not an official request from the Elks and there is a parking lot across the street which is available for use.

Tom Feeney noted that this is a county issue since there is limited handicap parking as a whole.

Council consensus directed staff to consider options to provide additional handicap parking in the City and bring suggestions back to a future work session.

COUNCIL COMMENTS
Alderman Laratta thanked staff for updating items that have needed to be updated such as the ownership of City Hall.

PUBLICFORUM/AUDIENCEPARTICIPATION
Alan Tiefenbach, 900 Vernon Drive, handed out a photo of the Boodle with the light on the west side which does not have a door and is very visible for some residents of Prospectors Run which is a “dark sky” community. He asked for the light to be moved or perhaps a motion sensor would be appropriate.

Larry Bartlett, 896 Vernon Drive, stated that the Boodle is a historic site and is misused by the City. If the light is for security then consider locking the gate and fixing the holes in the fence.

Tom Poe, VP of PRHOA, offered that as someone who teaches crime prevention, the light is a quality of life issue and the community at PR is the best resource for crime prevention. There currently is not a crime issue. Manager Miera added that Xcel repaired the existing light recently and staff will look at these issues and consider placement, type or a timer.

Joe Behm, CCBID, thanked Council for passing the marketing device fee and the clarification in the discussion on the resolution for exclusion. Mr. Behm noted the Century garage has new cameras and questioned if there is long term parking that is being abused by residents. Mr. Behm also thanked staff for stepping up to repair the parkway poles in house. Manager Miera added that out of 98 poles, 40 were vandalized by having the copper ground wires taken. Staff will do the repairs with financial support from the CCBID.
Deb Wray, 706 Martin Drive, thanked Ray Rears, Sam Hoover, Daniel Miera, Captain Ihme, City Council, and County Commissioners for moving forward with the cemetery fencing project.

At 8:54 p.m., Mayor Heider adjourned the meeting.
The next regular Council meeting is scheduled for March 7, 2017 at 7:00 p.m.

____________________________________  ________________________________
Kathryn A. Heider, Mayor               Reba Bechtel, City Clerk
CITY OF CENTRAL
CITY COUNCIL MEETING
March 21, 2017

CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Heider at 6:05 p.m., in Gilpin County Courthouse on March 21, 2017.

ROLL CALL
Present: Mayor Heider
Mayor pro tem Voorhies
Alderman Laratta
Alderman Aiken

Absent: None

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Finance Director Adame
Community Development Director Rears
Public Works Director Hoover
Fire Chief Allen
Utilities Director Nelson
GCSO Captain Ihme

EXECUTIVE SESSION
Mayor pro tem Voorhies moved to go into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) for legal advice on specific legal questions related to proposed amendments to the Parkway Access Code; pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations; to develop strategy for negotiations and to instruct negotiators regarding potential lease agreements; and pursuant to Section 24-6-402(4)(e), C.R.S. to determine positions relative to matters that may be subject to negotiations; to develop strategy for negotiations and to instruct negotiators regarding City fire protection services. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

At 7:05 p.m., Mayor Heider reconvened regular session.

The Pledge of Allegiance was recited by all present.

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 Laratta moved to approve the consent agenda containing the regular bill lists through March 14 and the City Council minutes for the meeting on March 7, 2017. Mayor pro tem Voorhies seconded, and without discussion, the motion carried unanimously.
PUBLICFORUM/AUDIENCEPARTICIPATION
No one requested time to address the Council.

ACTION ITEMS: NEW BUSINESS
Resolution No. 17-11: A resolution of the City Council of the City of Central, Colorado amending the Volunteer Firefighter Length of Service Award Plan.
Fire Chief Allen reviewed the background as follows:
The Central City Fire Department Pension Board approved amendments to the Length of Service Plan (LOS Plan) at their January 24, 2017 meeting. The key modification to the LOS Plan was to allow unclaimed or undistributed funds to revert back to the City vs. being handled in accordance with the Colorado Unclaimed Property Act, Article 13 of Title 38, C.R.S. The unclaimed funds would be earmarked for firefighting, public safety, or other similar purposes. The Separation from Service Plan Distribution Request Form and Beneficiary Designation Form have been modified to reflect the changes to the LOS Plan. The City Council originally established the LOS Plan in 2007, and the same was approved by Resolution No. 9, Series 2007. The LOS Plan was amended in 2013 by Resolution No. 13-12. The City Attorney has reviewed the proposed changes to the LOS Plan and has determined that the same do not conflict with any applicable provisions of Section 457 of the Internal Revenue Code or the Colorado Volunteer Service Award Act, Section 31-30-1201 et seq., C.R.S.

Mayor pro tem Voorhies moved to approve Resolution No. 17-11: A resolution of the City Council of the City of Central, Colorado amending the Volunteer Firefighter Length of Service Award Plan. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

Resolution No. 17-12: A resolution of the City Council of the City of Central, Colorado supporting Ballot Question 1A related to the Local Right to Use Municipal Fiber Optic Infrastructure.
Attorney McAskin explained that Resolution 17-12 ("Resolution") reflects the City Council’s support of a YES vote on ballot question #1A at the April 4, 2017 special mail ballot election.

The City Council previously approved ballot question #1A for the April 4, 2017 special mail ballot election through adoption of Resolution 17-03. When it enacted Article 27, Title 29 of the Colorado Revised Statutes, the State Legislature removed from cities the authority to provide high-speed internet, telecommunications services, and/or cable television services in partnership with public or private sector entities using fiber optic infrastructure. However, the statute allows cities to restore that authority through voter approval, and ballot question #1A asks residents to reauthorize the City to use fiber optic infrastructure to provide services such as those described above.

The City Council is allowed to take a position on any ballot issue and issue a resolution reflecting that position pursuant to the Colorado Fair Campaign Practices Act (C.R.S. § 1-45-111). Resolution 17-12 establishes the City’s position in favor of a YES vote on ballot question #1A. Additional information can be found on the City website.

Alderman Laratta moved to approve Resolution No. 17-12: A resolution of the City Council of the City of Central, Colorado supporting Ballot Question 1A related to the Local Right to Use Municipal Fiber Optic Infrastructure. Mayor pro tem Voorhies seconded, and without discussion, the motion carried unanimously.
Resolution No. 17-13: A resolution of the City Council of the City of Central, Colorado awarding the BID for the Central City Cemetery Fence Project (RFP 2017-1) and authorizing the City Manager to execute a Services Agreement with S & J Companies LLC d/b/a Ace Fencing. Public Works Director Hoover explained that Resolution 17-13 ("Resolution") approves a services agreement between the City and S & J Companies LLC (d/b/a Ace Fencing) to construct buck and rail fencing and several gates along portions of Eureka Street, Upper Apex Valley Road, Bald Mountain Road and Columbine Campground Road.

All-terrain and other off-highway vehicles (collectively “OHVs”) have been trespassing on private property and driving over gravesites in the historic cemeteries located in the vicinity of Eureka Street, Upper Apex Valley Road, Bald Mountain Road, and Columbine Campground Road. The first three roads are within the City’s jurisdiction, and the forth is located in unincorporated Gilpin County.

In order to prevent further trespass and potential property damage by the OHVs, the City and Gilpin County are proposing to jointly construct buck and rail fencing and install gates that allow access to the private properties along the rights-of-way identified above. Gilpin County has agreed to pay for a portion of the cost of constructing the gates and fences, and the City and Gilpin County will enter into a Memorandum of Understanding to memorialize that agreement.

Manager Miera added that the County Commissioners are in agreement that the buck/pole will require less maintenance.

Additional details for the project: there will be 12’ metal gates; contractor to start April 10 and complete in 30 days; and an MOU will come forward with Gilpin County for maintenance by the City unless damage caused by either Central City or Gilpin County which would be covered by them.

Alderman Aiken moved to approve Resolution No. 17-13: A resolution of the City Council of the City of Central, Colorado awarding the BID for the Central City Cemetery Fence Project (RFP 2017-1) and authorizing the City Manager to execute a Services Agreement with S & J Companies LLC d/b/a Ace Fencing. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Ordinance No. 17-02: An ordinance of the City Council of the City of Central, Colorado amending Ordinance 98-29, an ordinance Organizing the Central City Business Improvement District and Approving the Election of an Initial Board of Directors Therefore.
Manager Miera reviewed the background as follows:
Ordinance No. 17-02 amends Ordinance No. 98-29 29 titled “AN ORDINANCE ORGANIZING THE CITY OF CENTRAL BUSINESS IMPROVEMENT DISTRICT AND APPROVING THE ELECTION OF AN INITIAL BOARD OF DIRECTORS THEREFORE” (the “Prior Ordinance”). The Prior Ordinance organizing the Central City Business Improvement District (“CCBID”) was approved by City Council on December 15, 1998 and was recorded on May 21, 2003 at Reception No. 117343 in the County records.

The Prior Ordinance organized the CCBID, established the initial boundaries and service area of the CCBID, and provided for a five (5) member elected Board of Directors for the CCBID. Section 7 of the Prior Ordinance reads in full as follows:
Section 7. The owner of any property who, hereafter, seeks a permit from the City to construct or operate a commercial enterprise on any parcel not included within the District but located within the boundaries of the City as it now exists or may exist in the future shall receive substantial benefits for the particular parcel of property from the existence and improvements of the District in rough proportionality to the costs associated with inclusion into the District. Therefore, as a condition of receiving such City permit, the property shall be included into the District, unless sufficient evidence of lack of benefit is presented to the City Council.

Section 7 of the Prior Ordinance conflicts with C.R.S. § 31-25-1220, which establishes the manner in which property may be included into the boundaries of the CCBID. C.R.S. § 31-25-1220 establishes a voluntary petition process wherein the owners of property proposed to be included into the boundaries of the District may file a written petition with City Council, requesting that such property be included into the District.

The City does not have the power to unilaterally include property into the boundaries of the CCBID without adhering to the petition process set forth in state law.

Nothing in Ordinance No. 17-02 affects the provisions of C.R.S. § 31-25-1208(3) which provides that “if the property tax classification of any tract of land lying within the service area of any district organized under the provisions of this part 12 has been or is changed from residential or agricultural to any other classification, such lands and the personal property thereon shall no longer be excluded from the boundaries of said district and shall be subject to all obligations, liens, or charges of such district on and after January 1 of the year following such change.”

This statutory provision establishes that if property within the service area of a business improvement district and classified as residential or agricultural for tax purposes becomes commercial property, the property shall be automatically included into the boundaries of the business improvement district on January 1 of the year following the change in classification.

Mayor pro tem Voorhies moved to adopt Ordinance No. 17-02: An ordinance of the City Council of the City of Central, Colorado amending Ordinance 98-29, an ordinance Organizing the Central City Business Improvement District and Approving the Election of an Initial Board of Directors Therefore and set the Public Hearing for April 4 at 7:00pm. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

REPORTS
Manager Miera reported that the contractors have started work at City Hall and we expect the work to be complete by the end of April.

COUNCIL COMMENTS
Mayor pro tem Voorhies reviewed the request for a Letter of Support by the 1-70 Coalition for the Transportation Funding Bill HB 17-1242. Mayor Heider added that the State Highways have been ignored too long and are in need to funding. Council consensus was to provide the Letter of Support.

Alderman Laratta commented that the City is looking beautiful and she is looking forward to the flowers on Main Street.

CC Minutes 3/21/2017
PUBLICFORUM/AUDIENCEPARTICIPATION
Karen Bartlett, 896 Vernon Drive, question access to the cemeteries with the new fence and signage. Public Works Director Hoover explained that there will be 12’ wide gates that will be unlocked. Manager Miera added that the signage will be provided by both the City and County.

Alan Tiefenbach, 900 Vernon Drive, thanked the Council, Manager Miera and Public Works Director Hoover for turning the light off at the Boodle. He added that he had counted more than 50 ATV’s this weekend at the cemeteries.

David Josselyn, 344 E 1st High, thanked the City for the cemetery fence and added that that buck/pole will look great.

At 8.42 p.m., Mayor Heider adjourned the meeting.
The next regular Council meeting is scheduled for April 4, 2017 at 7:00 p.m.

Kathryn A. Heider, Mayor

Reba Bechtel, City Clerk
AGENDA ITEM # 7
CITY COUNCIL COMMUNICATION FORM

FROM: Daniel Miera, City Manager
THROUGH: Marcus McAskin, City Attorney
DATE: March 30, 2017 (for April 4, 2017 meeting)
ITEM: Ordinance 17-02 Amending Prior City Ordinance No. 98-29

_X_ ORDINANCE
_____ MOTION
_____ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 17-02 amends Ordinance No. 98-29 29 titled "AN ORDINANCE ORGANIZING THE CITY OF CENTRAL BUSINESS IMPROVEMENT DISTRICT AND APPROVING THE ELECTION OF AN INITIAL BOARD OF DIRECTORS THEREFORE" (the "Prior Ordinance"). The Prior Ordinance organizing the Central City Business Improvement District ("CCBID") was approved by City Council on December 15, 1998 and was recorded on May 21, 2003 at Reception No. 117343 in the County records. The Ordinance was approved on first reading at the March 21, 2017 City Council meeting.

II. RECOMMENDED ACTION / NEXT STEP: Approve Ordinance No. 17-02 on second reading following public hearing.

As set forth above the proposed Ordinance was approved on first reading on March 21st.

III. BACKGROUND INFORMATION:

The Prior Ordinance organized the CCBID, established the initial boundaries and service area of the CCBID, and provided for a five (5) member elected Board of Directors for the CCBID. Section 7 of the Prior Ordinance reads in full as follows:

Section 7. The owner of any property who, hereafter, seeks a permit from the City to construct or operate a commercial enterprise on any parcel not included within the District but located
within the boundaries of the City as it now exists or may exist in the future shall receive substantial benefits for the particular parcel of property from the existence and improvements of the District in rough proportionality to the costs associated with inclusion into the District. Therefore, as a condition of receiving such City permit, the property shall be included into the District, unless sufficient evidence of lack of benefit is presented to the City Council.

Section 7 of the Prior Ordinance conflicts with C.R.S. § 31-25-1220, which establishes the manner in which property may be included into the boundaries of the CCBID. C.R.S. § 31-25-1220 establishes a voluntary petition process wherein the owners of property proposed to be included into the boundaries of the District may file a written petition with City Council, requesting that such property be included into the District.

The City does not have the power to unilaterally include property into the boundaries of the CCBID without adhering to the petition process set forth in state law.

Additional background information was provided to City Council at first reading of the proposed Ordinance on March 21, 2017.

Nothing in Ordinance No. 17-02 affects the provisions of C.R.S. § 31-25-1208(3) which provides that "[i]f the property tax classification of any tract of land lying within the service area of any district organized under the provisions of this part 12 has been or is changed from residential or agricultural to any other classification, such lands and the personal property thereon shall no longer be excluded from the boundaries of said district and shall be subject to all obligations, liens, or charges of such district on and after January 1 of the year following such change."

This statutory provision establishes that if property within the service area of a business improvement district and classified as residential or agricultural for tax purposes becomes commercial property, the property shall be automatically included into the boundaries of the business improvement district on January 1 of the year following the change in classification.

IV. **FISCAL IMPACTS:** None.

V. **LEGAL ISSUES:** None. C.R.S. § 31-25-1204 vests City Council with jurisdiction to amend the Prior Ordinance.

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

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

1. Adopt Ordinance No. 17-02 on second reading, as may or may not be amended;

2. Direct staff to make revisions to the Ordinance and continue the public hearing to a date and time certain; or

3. Reject or deny the Ordinance.
RECOMMENDED MOTION: "I MOVE TO APPROVE ORDINANCE NO. 17-02, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING ORDINANCE NO. 98-29, AN ORDINANCE ORGANIZING THE CENTRAL CITY BUSINESS IMPROVEMENT DISTRICT AND APPROVING THE ELECTION OF AN INITIAL BOARD OF DIRECTORS THEREFORE ON SECOND READING."

Attachments:

- Ordinance 17-02 (for second reading)
CITY OF CENTRAL, COLORADO
ORDINANCE 17-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AMENDING ORDINANCE NO. 98-29, AN ORDINANCE
ORGANIZING THE CENTRAL CITY BUSINESS IMPROVEMENT DISTRICT
AND APPROVING THE ELECTION OF AN INITIAL BOARD OF DIRECTORS
THEREFORE

WHEREAS, City Council previously adopted Ordinance No. 98-29 titled “AN
ORDINANCE ORGANIZING THE CITY OF CENTRAL BUSINESS IMPROVEMENT
DISTRICT AND APPROVING THE ELECTION OF AN INITIAL BOARD OF DIRECTORS
THEREFORE” (the “Prior Ordinance”); and

WHEREAS, the Prior Ordinance organizing the Central City Business Improvement
District (the “District”) was approved by City Council on December 15, 1998 and was recorded
on May 21, 2003 at Reception No. 117343 in the real property records of Gilpin County,
Colorado; and

WHEREAS, C.R.S. § 31-25-1204 vests City Council with jurisdiction to amend the
Prior Ordinance; and

WHEREAS, Section 7 of the Prior Ordinance reads in full as follows:

Section 7. The owner of any property who, hereafter, seeks a permit
from the City to construct or operate a commercial enterprise
on any parcel not included within the District but located
within the boundaries of the City as it now exists or may
exist in the future shall receive substantial benefits for the
particular parcel of property from the existence and
improvements of the District in rough proportionality to the
costs associated with inclusion into the District. Therefore,

WHEREAS, City Council desires to amend the Prior Ordinance to remove Section 7 in
its entirety given that Section 7 of the Prior Ordinance conflicts with C.R.S. § 31-25-1220, which
establishes the manner in which property may be included into the boundaries of the District; and

WHEREAS, C.R.S. § 31-25-1220 establishes a voluntary petition process wherein the
owners of property proposed to be included into the boundaries of the District may file a written
petition with City Council, requesting that such property be included into the District; and
WHEREAS, City Council desires to clarify that the City does not have the power to condition the issuance of any permit to any commercial enterprise within the City on the property owner(s) executing a petition for inclusion seeking inclusion of the property owned by the property owner(s) into the boundaries of the District; and

WHEREAS, the City Council is not vested with authority under the Business Improvement District Act to otherwise unilaterally include property into the boundaries of the District.

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

Section 1. City Council finds and determines that it is vested with jurisdiction to amend the Prior Ordinance pursuant to C.R.S. § 31-25-1204.

Section 2. Nothing in this Ordinance shall be deemed to affect the proper operation of C.R.S. § 31-25-1208(3).

Section 3. The City Clerk is directed to file a certified copy of this ordinance with the County Clerk and Recorder of Gilpin County, Colorado for recording.

Section 4. Safety Clause. The City Council of the City of Central hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Central, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 5. 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 March, 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 4th day of April, 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 March 23, 2017.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on April 6, 2017.
Hello Reba,

I am interested in being considered for the opening in the Central City Planning Commission. While working with the Planning Commission on the Comprehensive Plan I realized that the growth of Central City depends on the historical preservation and strategic planning for future land use. Understanding both sides of the coin will be an essential part of our cities longevity and growth. I am interesting in learning more about zoning regulations, land use regulations and sharing my views on the subject. I hope you will still consider me as an asset to this commission.

Thank you for your time and attention.

Best Regards,

Christine Jackie Mitchell
(* m+ 2 obscure *)
March 29, 2017

Dear Mayor and Council Members,

I am interested in serving on the Central City Planning Commission and hereby submit this formal request for consideration to fill the currently vacant seat.

I am a Central City resident and have a very strong interest in our town and its future. As a long-time employee of Gilpin County, one of my past duties was Secretary to the Planning Commission. I spent many years observing this important group’s review of land use applications and its interpretation of the zoning code and other guidelines. I then saw the importance of the Planning Commission’s recommendations to the Board of County Commissioners.

In conclusion, I believe I can be an asset to the Central City Planning Commission and hope you allow me the opportunity to contribute to our community.

Sincerely,

Sharon Cate
AGENDA ITEM # 9
CITY COUNCIL COMMUNICATION FORM

FROM: Daniel Miera, City Manager

THROUGH: Marcus McAskin, City Attorney

DATE: March 30, 2017 (for April 4, 2017 meeting)

ITEM: Ordinance 17-03 Amending Parkway Access Code

___X___ ORDINANCE
_____ MOTION
_____ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 17-03 amends certain provisions of the Central City Parkway Access Code (the "Parkway Access Code"), which was adopted pursuant to Ordinance No 05-08. Specifically, Sections 8-7-130 and 8-7-180 of the Parkway Access Code are amended by Ordinance No. 17-03. Additional information is set forth in the "Background Information" section of this Council Communication Form below.

II. RECOMMENDED ACTION / NEXT STEP: Approve Ordinance No. 17-03 on first reading and schedule a public hearing and second reading of the Ordinance on a time and date certain.

Currently, it is anticipated that second reading of the Ordinance will occur on Tuesday, April 18th at 7:00 p.m.

III. BACKGROUND INFORMATION: Ordinance No. 17-03 amends two specific sections of the Parkway Access Code, Sec. 8-7-130 ("City annexation or inclusion in Central City Business Improvement District") and Sec. 8-7-180 ("Violations and penalties").

Sec. 8-7-130

Section 8-7-130 of the Parkway Access Code currently contains language which may reasonably be interpreted as requiring the City to annex certain property into the boundaries of the City under certain circumstances. Determinations by City Council as to
whether to annex (or not to annex) certain property are legislative in nature. Staff is proposing clean-up amendments to Sec. 8-7-130 of the Parkway Access Code to require, as a condition of commencing construction of any access improvements authorized pursuant to an access permit on the Parkway, that the property owner(s) of property benefited by such access be required to submit a petition for annexation to the City. This change should remove existing ambiguity in the Parkway Access Code that annexation may be required under certain circumstances.

**Sec. 8-7-180**

The City Council previously adopted Ordinance 13-08, which Ordinance amended certain provisions of the Municipal Code to increase the maximum fine for municipal ordinance violations to the amount authorized by C.R.S. § 13-10-113.

C.R.S. § 13-10-113 was amended in 2013 to increase the maximum fine which may be imposed by a municipal court of record against any person convicted of violating a municipal ordinance from $1,000 to $2,650 (as adjusted for inflation).

Ordinance 13-08 was intended to capture all references in the Municipal Code to the prior $1,000 maximum fine limit, but inadvertently did not include Sec. 8-7-180 of the Parkway Access Code, which sets the maximum fine for any violation of the provisions of the Parkway Access Code.

Legislative redline versions of the proposed changes to the two sections of the Parkway Access Code (Sec. 8-7-130 and 8-7-180) are attached to this CCF and are incorporated by reference.

**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. 17-03 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. 17-03, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING CERTAIN PROVISIONS OF ARTICLE VII OF CHAPTER 8 OF THE MUNICIPAL CODE (CENTRAL CITY PARKWAY ACCESS CODE) ON FIRST READING, AND FURTHER MOVE THAT SECOND READING AND PUBLIC HEARING ON THE ORDINANCE BE SCHEDULED FOR TUESDAY, APRIL 18, 2017, AT 7:00 PM TO BE HELD AT THIS LOCATION.”
Attachments:

- Ordinance 17-03 (for first reading)
- Legislative redline (changes to Sec. 8-7-130 of Parkway Access Code)
- Legislative redline (changes to Sec. 8-7-180 of Parkway Access Code)
Sec. 8-7-130. City annexation or inclusion in Central City Business Improvement District.

Prior to commencement of construction of any access improvements authorized pursuant to a validly issued access permit, the property owner(s) of the property for which such access improvements are constructed, as well as the property owner(s) of any property directly or indirectly using such access (all of such property collectively, the "benefited property"): (1) shall, if such benefited property is not located within Clear Creek County, execute a petition or petitions for annexation containing all information required by the Municipal Annexation Act of 1965, C.R.S. §§ 31-12-101 et seq., and complying with all applicable provisions of Article I of Chapter 15 of the Municipal Code, requesting that the property described in the petition or petitions be included within the municipal boundaries of the City; and (2) may, if such benefited property is not located within Clear Creek County and is classified as commercial property pursuant to Section 31-25-1203(2), C.R.S., be annexed into the City and included in the District in accordance with statutory requirements and be subject to and pay all property taxes, assessments, charges or fees assessed by the District against all properties located within the District's boundaries; or (2) if the Benefited Property is not located within Clear Creek County, is not classified as commercial property pursuant to Section 31-25-1203(2), C.R.S., or cannot be annexed into the City and included in the District for any reason acceptable to the City and the District, then the owner of the benefited property may be obligated to the District, as permitted by law, for the payment of fees in lieu of property taxes that are based upon the assessed valuation of the benefited property and the District's mill levy, together with all other assessments, charges and fees assessed by the District, including without limitation any sum that the District and the owner of the benefited property may determine in order to liquidate such owner's obligations under this Section, which obligation shall otherwise terminate when the District's bonds and notes issued to finance the Parkway project have been fully paid and discharged. C.R.S. § 31-25-1203(2), C.R.S., be required to execute and file a petition or petitions for inclusion with the City in accordance with the provisions of C.R.S. § 31-25-1220, requesting that the property described in the petition or petitions be included within the boundaries of the District. All property included within the District shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the District outstanding at the time of inclusion, as required by C.R.S. § 31-25-1220. This Section shall not apply to any properties in Clear Creek County.
Sec. 8-7-180. Violations and penalties.

Any person who constructs any access improvement in violation of the requirements of an access permit or this Parkway Access Code shall be subject to a fine of not more than one thousand dollars ($1,000.00) for each violation thereof as set forth in Section 1-4-20 of this Code, in addition to any other fines and penalties authorized by this Parkway Access Code. Each day that any access improvement is in place in violation of the access permit or this Parkway Access Code shall constitute a separate offense, subject to the above fines and penalties. This violation includes any access improvements to the Parkway installed without access permit approval, as well as access improvements that are installed in noncompliance with approved engineering plans. The provisions of this Parkway Access Code shall not be deemed to be exclusive or deemed to prevent the prosecution of any other action or proceeding in law or equity to enforce the provisions of this Parkway Access Code or any other provision of the City Code, or to vacate and remove any access improvements constructed in violation of an access permit or this Parkway Access Code. In addition to any remedies specifically set forth herein, the City may pursue any other remedies provided by law in the event of a violation of this Parkway Access Code or an approved access permit by a permittee.
CITY OF CENTRAL, COLORADO
ORDINANCE 17-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AMENDING CERTAIN PROVISIONS OF ARTICLE VII OF
CHAPTER 8 OF THE MUNICIPAL CODE (CENTRAL CITY PARKWAY
ACCESS CODE)

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 previously adopted Ordinance No. 05-08, which
Ordinance adopted the Central City Parkway Access Code ("Parkway Access Code"); and

WHEREAS, the City is a party to that certain Intergovernmental Agreement with the
City of Central Business Improvement District dated January 11, 2001, as amended by that
certain Amendment No. 1 to Intergovernmental Agreement dated April 1, 2003 and Amendment
No. 2 to Intergovernmental Agreement dated November 9, 2004 (together, the
"Intergovernmental Agreement"); and

WHEREAS, Intergovernmental Agreement sets forth the mutual intent of the City and
the Central City Business Improvement District ("CCBID") that the Central City Parkway be
available for public use, but that access to the Parkway will be minimized to accommodate the
design flow of traffic into the City, to protect the safety of Parkway users, to reduce operating
and maintenance costs, to promote the vitality of commercial properties within the District, and
to secure the prosperity, security and general welfare of the inhabitants of the City and property
owners within the District; and

WHEREAS, the Intergovernmental Agreement also sets forth that no access to the
Parkway shall be permitted to any person, except as may be mutually authorized in writing by
the City and the CCBID and in compliance with the procedures and standards set forth in a
highway access ordinance to be adopted subsequently by the City with specific limitations that
are consistent with the provisions of the Intergovernmental Agreement; and

WHEREAS, the City Council has found and determined that the proposed revisions to
the Parkway Access Code, as set forth in this Ordinance, are consistent with the provisions of the
Intergovernmental Agreement; and

WHEREAS, the City Council additionally finds and determines that the proposed
changes to the Parkway Access Code continue to support the mutual intent of the City and the
CCBID with respect to the Parkway, namely that the Parkway be available for public use but that
access to the Parkway be minimized; and
WHEREAS, Section 8-7-130 of the Parkway Access Code currently contains language which may reasonably be interpreted as requiring the City to annex certain property into the boundaries of the City; and

WHEREAS, the Municipal Annexation Act of 1965 (the “Act”) sets forth the procedural framework by which a municipality may annex land; and

WHEREAS, the City has expressly acknowledged the applicability of the Act by adopting the Central City Annexation Policies and Procedures, set forth in Article I of Chapter 15 of the Municipal Code; and

WHEREAS, proceedings by the City under the Act are legislative in nature; and

WHEREAS, upon receipt of an annexation petition, the City Council must hold hearings to determine whether the petition complies with the requirements of article II, section 30 of the Colorado Constitution and other requirements of the Act; and

WHEREAS, City Council desires to amend the Parkway Access Code to require, as a condition of commencing construction of any access improvements authorized pursuant to an access permit on the Parkway, that the property owner(s) of property benefited by such access be required to submit a petition for annexation to the City; and

WHEREAS, the change is necessary to remove ambiguity in the Parkway Access Code and ensure that all future annexations remain subject to the legislative discretion of City Council; and

WHEREAS, the City Council previously adopted Ordinance 13-08, which Ordinance amended certain provisions of the Municipal Code to increase the maximum fine for municipal ordinance violations to the amount authorized by C.R.S. § 13-10-113; and

WHEREAS, Sec. 8-7-180 of the Parkway Access Code was not amended by the 2013 Ordinance; and

WHEREAS, the City Council desires to clarify that any violation of the Parkway Access Code will be subject to a maximum fine as authorized by Section 1-4-20 of the Municipal Code; 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. Findings. The recitals set forth above are adopted as findings of City Council.

Section 2. Section 8-7-130 of the Parkway Access Code, titled “City annexation or inclusion in Central City Business Improvement District” is hereby repealed and replaced to read in its entirety as follows:

Sec. 8-7-130. City annexation or inclusion in Central City Business Improvement District.

Prior to commencement of construction of any access improvements authorized pursuant to a validly issued access permit, the property owner(s) of the property for which such access improvements are constructed, as well as the property owner(s) of any property directly or indirectly using such access (all of such property collectively, the "benefited property"): (1) shall, if such benefited property is not located within Clear Creek County, execute a petition or petitions for annexation containing all information required by the Municipal Annexation Act of 1965, C.R.S. §§ 31-12-101 et seq., and complying with all applicable provisions of Article I of Chapter 15 of the Municipal Code, requesting that the property described in the petition or petitions be included within the municipal boundaries of the City; and (2) may, if such benefited property is not located within Clear Creek County and is classified as commercial property pursuant to C.R.S. § 31-25-1203(2), C.R.S., be required to execute and file a petition or petitions for inclusion with the City in accordance with the provisions of C.R.S. § 31-25-1220, requesting that the property described in the petition or petitions be included within the boundaries of the District. All property included within the District shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the District outstanding at the time of inclusion, as required by C.R.S. § 31-25-1220. This Section shall not apply to any properties in Clear Creek County.

Section 3. Section 8-7-180 of the Parkway Access Code, titled “Violations and penalties” is hereby repealed and replaced to read in its entirety as follows:

Sec. 8-7-180. Violations and penalties.

Any person who constructs any access improvement in violation of the requirements of an access permit or this Parkway Access Code shall be subject to a fine not to exceed the maximum fine authorized by Section 1-4-20 of this Code, in addition to any other fines and penalties authorized by this Parkway Access Code. Each day that any access improvement is in place in violation of the access permit or this Parkway Access Code shall constitute a separate offense, subject to the above fines and penalties. This violation includes any access improvements to the Parkway installed without access permit approval, as well as access improvements that are installed in
noncompliance with approved engineering plans. The provisions of this Parkway Access Code shall not be deemed to be exclusive or deemed to prevent the prosecution of any other action or proceeding in law or equity to enforce the provisions of this Parkway Access Code or any other provision of the City Code, or to vacate and remove any access improvements constructed in violation of an access permit or this Parkway Access Code. In addition to any remedies specifically set forth herein, the City may pursue any other remedies provided by law in the event of a violation of this Parkway Access Code or an approved access permit by a permittee.

Section 4. Safety Clause. The City Council of the City of Central hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Central, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 5. 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 ______________, 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 day of _____________, 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.
To: Mayor Heider, City Council, and City Manager Miera
From: Reba Bechtel, City Clerk
Date: April 4, 2017
Re: Bi-weekly Report

- Ballot processing began 4/3.
- Responded to another Open Records Request.
- 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 21, 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 — Council Encouraged to Attend
   i. Next meeting will be held on April 10th — Land Use Code
   ii. Public Update/Notice added to April water bill.

3) CDBG — Resilience Project.
   a. Final Open House Meeting — April 25th 6-8 p.m.

4) Wayfinding Signage —
   a. Committee will be formed to discuss copy/placement

5) Cemetery fence project —
   a. Draft letter to adjacent owners sent
   b. Final Joint meeting held March 29th
   c. Joint Press Release with County, USFS Underway
   d. Forest Service investigating options to accommodate parking

6) Marijuana Suspension — Options/data being pursued

7) UNC Survey — Event impact for businesses and citizens underway

8) Enterprise Zone — Central City and unincorporated Gilpin County inclusion into the Northwest Enterprise Zone was approved by the Economic Development Commission on March 16th.
   a. A MOU with AGNC (Associated Governments of Northwest Colorado) will be coming before Council soon.
   b. A business engagement meeting will held soon to promote the benefits of the program in May.

9) Various initial development/building inquires addressed.

Historic Preservation

1) Belvidere Theater
   a. RFP — Expected to be released
   b. Contractor to pursue other funding opportunities contacted

2) Washington Hall RFP — Work continues
   a. Paint analysis contractor contacted

3) HPC Cases YTD: 3

Code Enforcement

1) Work continues on reported violations
   a. Cases Reported in 2016 – 35
   b. Cases Reported in 2017 - 4
IT/Web/Audio Visual
1) Website, Facebook and Twitter internal administration continues.
2) Channel 20 – Taken down temporarily due to City Hall repair
3) Projects Update tab added to Com Dev Page

Events / Marketing
1) Billboard
2) Central City App – Mobile Town Guide developed and can be download – “Mobile Town Guide Central City”
   a. Working on an interactive walking tour of the City
3) Short Promotional Videos are planned with two firms as well as the Opera
4) Central City Opera Picnic – Date Monday, June 26 - work continues
5) Joint Meeting with Hot Rod Hill Climb Organizers held
6) A pressed penny machine installed in the Visitor Center and three other location in the City
7) Main Street Central City
   a. Mini-grant pursued –
      i. training –
      ii. façade project reimbursement –
      iii. Commercial Building Inventory
8) 2017 Additional Marketing Items
   a. 118 Radio Spots purchased to promote Central City
      i. June – Sept. - 950am Altitude Sports, Kool105, Mix 100 & 92.5 Wolf
   b. Jeffco Living print and digital ads Runs for 6 month/ change message in June – Messages are Events, Attractions, Shop, Dine, local business promotion, etc.)
      (April – end of June and July - October) ½ page
      i. All Jefferson County public libraries
      ii. All King Soopers stores in Jefferson County
      iii. 90 other distribution racks around Jefferson County and several in Denver
      iv. Visitor Centers in cities around Jefferson County as well as Idaho Springs and Central City
      v. Many businesses with waiting rooms around Jefferson County have them available for reading
      vi. Most advertisers offer them for pick up as well
   c. MMAC ½ page running new monthly messages from May through the end of August (Focus on seasonal attractions, local business, etc.)
      i. 10,000+ print readers/month in Clear Creek, Gilpin, Boulder and Larimer counties from Georgetown to Estes Park
      ii. Distributed in print each month to more than 200 locations in the mountain communities between the I-70 Corridor and Estes Park including Georgetown, Empire, Idaho Springs, Black Hawk/Central City, Coal Creek Canyon, Lyons, Allenspark, Ward, Gold Hill, Nederland, and more.
   d. Will also be ¾ page ads ran in MMAC, The Gambler, The Mountain Ear, etc.
   e. Large Social Media buy occurs from May - September

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: April 4, 2017
Re: Staff Report

➢ **Finance**

- Continued providing information to the State Auditor team regarding the Historic Preservation Fund.
- Continued preparing information for the 2016 audit.
- Attended the CCFD Pension Board Meeting.
- Provided 1st quarter financial reports to all department directors.

➢ **Human Resources**

- Completed the 2016 Payroll Audit for CIRSA.
- Advertised for the position of Seasonal Gardener.
### Central City Stats

**Dates and time:** 0:00:00 to 3/1/17 23:59:59

**Month of March**

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**Totals:** 3 6 4 4

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**Other Calls of Interest**

- Animal: 0
- Business checks: 73
- Camping: 0
- Parking citations: 1

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### Central City Stats

**Dates and time:** 0:00:00 to 3/8/17 23:59:59

**Month of March**

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### Central City Stats

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**Month of March**

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### Central City Stats

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**Month of March**

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Other Calls of Interest

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Central City Stats

Dates and time: 3/23/17 00:00:00 to 3/29/17 23:59:59
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