

**CITY OF CENTRAL
CITY COUNCIL MEETING
April 21, 2015**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 6:37 p.m., in City Hall on April 21, 2015.

ROLL CALL

Present: Mayor Engels
Alderman Voorhies
Alderman Gaines
Alderman Laratta

Absent: Mayor Pro Tem Heider

Staff Present: City Manager Miera
City Clerk Bechtel
Attorney McAskin
Finance Director Adame
Police Chief Krelle
Fire Chief Allen

EXECUTIVE SESSION

Alderman Gaines moved to go into Executive Session pursuant to C.R.S. Sections 24-6-402(4)(a) and 24-6-402(4)(b) for the purposes of: considering a proposed lease of certain real property located within City boundaries by the City; and for conferring with the City Attorney on specific legal questions related to the proposed lease of property by the City and the proposed lease agreement and Pursuant to C.R.S. Sections 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding potential amendment to existing license fee rebate agreement and to reconvene the Council meeting at the conclusion of the executive session for the purpose of taking any action deemed necessary, and to continue with regular meeting agenda of April 21, 2015. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Mayor Engels reconvened regular session at 7:25 p.m.

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 Gaines moved to approve the consent agenda containing the regular bill list of April 16; and the City Council minutes for the meeting on April 14, 2015. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

ACTION ITEMS: NEW BUSINESS

Ordinance No. 15-02: *An ordinance of the City Council of the City of Central approving a Lease Agreement by and between the City and Central City, LLC for the premises known as 117 Main Street, 123 Main Street, and 125 Main Street.*

City Manager Miera reviewed the proposed ordinance which authorizes the City to enter into a Lease Agreement for three addresses. These lease agreements are an attempt to further the economic development plan entitled Maintain Central which provides public support for economic development projects in the City that foster, promote and enhance local economic development efforts. And it specifically contemplates the City entering into long-term rental and/or leasehold agreements as necessary to fulfill authorized functions of the City, including but not limited to the implementation of the Plan.

The City currently uses some of its own properties to provide space to various entities including Art Galleries and a Museum. Various property owners, including nonprofit entities, currently provide space to tenants in a similar fashion. An important goal of this type of activity is to retain and/or incubate certain businesses; without such assistance, they may not otherwise exist within the local economy. This economic development function also serves to occupy some of the empty historic spaces, which helps to preserve the historic buildings within the City. Additionally the operations and improvements associated with the increased activity ultimately may serve to increase assessed values in the area over time.

The leasing of the Premises would provide the City with overflow meeting space, a venue for showcasing public art, and space for special events or festivals. The Premises also contains office space that could be used for the City's economic development consultant and/or the Main Street Central City Program Director as well as the City will maintain control of the spaces that are not fully occupied.

Fiscal impacts in acquiring control of the premises under the agreement will cost the City \$1.00 through December 31, 2016 and may be extended for \$1.00 per year thereafter. Property insurance rates through CIRSA are estimated at \$1,500 per year. There will also be a loss of property tax revenue to the City.

Mayor Engels added that we can see how and if the program can work with very low risk since there is a sunset provision.

Alderman Gaines moved to adopt Ordinance No. 15-02: An ordinance of the City Council of the City of Central approving a Lease Agreement by and between the City and Central City, LLC for the premises known as 117 Main Street, 123 Main Street, and 125 Main Street and set the public hearing for May 5, 2015 at 7:00 p.m. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Resolution No. 15-10: A resolution of the City Council of the City of Central , Colorado authorizing participation in the Main Street® Program and supporting the operation of Main Street Central City.

City Manager Miera explained that the proposed resolution recognizes the benefits of the Colorado Main Street® Program and endorses the submission of an application for Central City. It further authorizes the City’s participation and support for the operation of a local program (*Main Street Central City*). The Colorado Main Street® program seeks to support the revitalization of traditional downtown districts within the context of historic preservation. The program provides resources, training and technical services to help local governments and downtown organizations create an economically diverse business environment while preserving local character and historic resources.

The City previously committed to participate in the development and financial support of a local Main Street® program (*Main Street Central*) in 2003.

On November 18th 2014, the City authorized the creation of the Central City Main Street Steering Committee (“Committee”) to study the potential benefits and requirements associated with reestablishing City support for a Main Street® Program. The Committee provided the required reporting to substantiate its request to reestablish a local Main Street® program during presentations made on April 14, 2015 and April 21, 2015. The Committee is now requesting that the City support an application to the Program to reestablish a new local program (*Main Street Central City*). Along with the request to endorse the application, the Committee has requested financial and operational support from the City to ensure its success, as well as a sustainable future.

On April 14th 2015, the Steering Committee organized a “Main Street 101” presentation for the City Council and interested stakeholders in the community. The event was not only informational, but it also satisfied one of the prerequisites for the application submission process.

The application is due no later than July 1, 2015 for this year’s cycle. If *Main Street Central City* does not get accepted as a “Candidate” in this year’s application round, it may still become a participant in the Program at the “Affiliate” level.

Subject to appropriations, a pledge of \$25,000 in 2016 is proposed to assist with operating costs for the Program. There will also be a time commitment required of the City Manager and/or other assigned staff.

Alderman Voorhies moved to approve Resolution No. 15-10: A resolution of the City Council of the City of Central , Colorado authorizing participation in the Main Street® Program and supporting the operation of Main Street Central City. Alderman Laratta seconded, and without discussion, the motion carried unanimously. Mayor Engels stated that he is very impressed with all the work that the Steering Committee has put in to bring this together.

LOCAL LICENSE AUTHORITY – (Central City Retail Marijuana Store Licensing Authority)
Alternative Holistic Healing, LLC dba Rocky Mountain Organics at 161 Gregory for a Retail Marijuana License

Alderman Gaines moved to open the Local License Authority. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Mayor Engels reviewed the information provided by staff as follows:

On March 12, 2015, the City received an application from Alternative Holistic Healing, LLC dba Rocky Mountain Organics for a license for a retail marijuana store.

City staff has reviewed the application and all related materials, completed its investigation of the application, and submits this report and all supporting evidence to the Central City Retail Marijuana Store Licensing Authority for review and approval/conditional approval/denial of the application in accordance with state and local law. Currently, the City's retail marijuana store regulations require the Authority to approve, conditionally approve, or deny an application within thirty (30) days of receipt of a complete application. The City's regulations also require the Authority to make a finding and determination as to the good moral character of the Applicant in accordance with standards set forth in state law. The staff report indicates that the Applicant has fulfilled all local requirements for a retail marijuana business license, with the exception of a determination concerning Applicant's moral character.

Jason Licata and Joe Licata, owners of Rocky Mountain Organics offered that they currently operate a location off of Hwy 119 and due to concerns that their lease may not be renewed in 2016, they would like to open a location in Central City.

Police Officer Adler stated the City has no concerns regarding the background check as approved by the State Licensing Authority and when a final inspection of the security cameras is complete, sees no reason not to approve.

Mayor Engels noted that based upon the information that the Applicant has provided to the City and City staff's investigation of Applicant and all relevant information it provided as reflected in the attached staff report, and subject to the Authority's findings concerning the moral character of Applicant and associated persons, staff recommends that City Council, sitting as the members of the Central City Retail Marijuana Store Licensing Authority conditionally approve Applicant's application to operate a retail marijuana store.

City Clerk Bechtel read the recommendations that the application approval by the Authority contain the following conditions to ensure compliance with the Municipal Code:

- A. Applicant's compliance with (1) the Central City Municipal Code; (2) the Colorado Retail Marijuana Code; (3) all rules and regulations promulgated pursuant to those Codes.
- B. Applicant's payment of all required City fees to the City Clerk prior to issuance of the license.
- C. Applicant shall ensure that all improvements to the Premises are completed to the satisfaction of the City to include: Police Department for final review of the security system; Fire Department for final review for fire code compliance; and the City must have issued either a Certificate of Occupancy or a Temporary Certificate of Occupancy for the Premises.
- D. The City shall not issue a license for the proposed Retail Marijuana Store unless and until the City building official has inspected the premises proposed for licensure and determined that the premises comply with the City's building and other life, health, and safety codes.
- E. All licenses issued pursuant to this decision are contingent upon the Applicant receiving and maintaining current, operational licenses from the state licensing authority.

Alderman Gaines moved to conditionally approve the application of Alternate Holistic Healing LLC dba Rocky Mountain Organics based upon the information presented in the staff report and other information brought forth at this meeting and to direct staff to prepare a Record of Decision on this application that incorporates the findings, conclusions, and all recommended conditions in the staff report, the Authority's finding as to the Applicant's moral character, and any other conditions imposed on the application. The Authority further directs staff to provide a copy of this decision within three (3) days of today's date to both the Applicant and the State of Colorado marijuana licensing authority by certified mail at the address shown in the application. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Alderman Gaines moved to close the Local License Authority. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

STAFF UPDATES

City Manager Miera referred to the staff reports in the packet.

COUNCIL COMMENTS

Alderman Voorhies stated that Public Works did a great job on the Parkway following the recent snow event. Alderman Gaines agreed the Parkway condition was great. City Manager Miera added that the crew worked the snow event around the clock.

Alderman Laratta commented that the City is progressing and there is a lot of activity.

PUBLICFORUM/AUDIENCEPARTICIPATION

Joe Behm, representative for the CCBID, thanked Council for their efforts regarding Community Development and added that there are two bills in the State Legislature regarding urban renewal SB15-135 and HB15-1348. SB 15-135 now clearly represents the only bill that works to reform processes within urban renewal without taking a chance of damaging it beyond repair. It is responsible legislation that strikes the appropriate balance between risk and change. Please contact your senator to urge support for SB15-135 and a "no" vote on HB15-1348.

At 7:52 p.m., Mayor Engels adjourned the meeting.

The next Council meeting is scheduled for May 5, 2015 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk