CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, May 21, 2019 @ 7:00 p.m.
141 Nevada 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
   Jeremy Fey
   Mayor Pro-Tem
   Judy Laratta
   Council members
   Jeff Aiken
   Jackie Johnson
   Jack Hidahl

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 May 14; and
   City Council minutes: May 7, 2019

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. 19-04: An ordinance of the City Council of the City of Central, Colorado, repealing Article IV of Chapter 5 of the City of Central Municipal Code in its entirety. (McAskin)

8. Ordinance No. 19-05: An ordinance of the City Council of the City of Central, Colorado, amending certain provisions of Article VII and Article IX of Chapter 6 of the Municipal Code concerning Medical Marijuana Establishments and Retail Marijuana Stores; specifically, Sections 6-7-210 and 6-9-200 concerning hours of operation. (Bechtel)

ACTION ITEMS: NEW BUSINESS —

9. Extension to 11pm for Jazz Event music at Teller Lot on June 8
10. **Resolution No. 19-13:** A resolution of the City Council of the City of Central, Colorado, approving Change Order No. 1 for the 2019 Stairway Project (Project No. PW-2019-1) and authorizing the City Manager or designee to execute the Change Order. (Hoover)

**REPORTS**

11. 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 June 4, 2019.

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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: 60,006.59
CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Fey at 7:10 p.m., in City Hall on May 7, 2019.

ROLL CALL
Present: Mayor Fey
Mayor pro tem Laratta
Alderman Aiken
Alderman Johnson
Alderman Hidahl

Absent: None

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Finance Director Robbins
CDD Rears
Public Works Director Hoover
Utilities Director Nelson
GCSO Division Chief Ihme
Fire Chief Allen

EXECUTIVE SESSION
Mayor pro tem Laratta moved to go into executive session pursuant to C.R.S. 24-6-402(4)(b) and to discuss specific legal questions related to process for collecting delinquent sales and use taxes, and further moved to reconvene the May 7, 2019 regular City Council meeting at the conclusion of the executive session for the purpose of taking any action deemed necessary. Alderman Aiken seconded, and without discussion, the motion carried unanimously by a vote of 5-0.

At approximately 7:37 p.m., the executive session was concluded and Mayor Fey announced that the participants in the executive session had been: Mayor Jeremy Fey, Mayor pro tem Laratta, Alderman Jeff Aiken, Alderman Jackie Johnson, Alderman Jack Hidahl, City Manager Daniel Miera, City Attorney Marcus McAskin, and Finance Director Abigail Robbins.

Mayor Fey proceeded to make the following announcement:
For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings law, I ask that you state your concerns for the record. No objections were noted.
Pledge of Allegiance was recited by all present.

**ADDITIONS AND/OR AMENDMENTS TO THE AGENDA**
Mayor Fey amended the agenda adding a Proclamation honoring the 50\(^{th}\) Anniversary of Municipal Clerk’s Week. Mayor Fey read and presented the Proclamation to City Clerk Bechtel.

**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 Aiken moved to approve the consent agenda containing the regular bill lists through May 1 and the City Council minutes for the meeting on April 16 and 23, 2019. Alderman Johnson seconded. In discussion, staff clarified questions regarding the cost to replace 21 windows in the Belvidere and the replacement vehicle policy for the Sheriff’s office. When Mayor Fey called the question, the motion carried unanimously.

**PUBLIC FORUM/AUDIENCE PARTICIPATION**
No one requested time to address the Council.

**ACTION ITEMS**
Resolution No. 19-11: A resolution of the City Council of the City of Central, Colorado, approving a Services Agreement with Revenue Recovery Group, Inc.
Finance Director Robbins explained that this Resolution approves a Services Agreement with Revenue Recovery Group, Inc. (“RRG”). The City and RRG previously entered into a services agreement dated March 5, 2018 which established a not-to-exceed amount of twenty thousand dollars ($20,000.00), for compensation to be paid to RRG for the services provided under the that agreement.

The City desires to continue to retain the services of RRG to provide services that may include, but are not limited to consulting, training, development and implementation of education programs, administrative functions for the collection and/or enforcement of taxes, fees and other revenues, auditing, and/or other related activities, including but not limited to attendance and testifying at administrative hearings related to the City’s sales and use tax collection activities.

Specifically, City Staff desires that City Council authorize the City Manager to execute the Services Agreement with RRG in order to permit the continued provision of services by RRG related to the City’s sales and use tax audit program. The initial term of the Agreement is for calendar year 2019 (through December 31, 2019), and not-to-exceed compensation for RRG is set at twenty thousand dollars ($20,000.00).

Alderman Hidahl questioned the term of the contract to end with the fiscal year rather than one year from the date of the contract. City Manager Miera replied that staff expects this contract to wrap up by year end.
Alderman Aiken moved to approve Resolution No. 19-11: A resolution of the City Council of the City of Central, Colorado, approving a Services Agreement with Revenue Recovery Group, Inc. Alderman Johnson seconded, and without discussion, the motion carried unanimously.

Ordinance No. 19-04: An ordinance of the City Council of the City of Central, Colorado, repealing Article IV of Chapter 5 of the City of Central Municipal Code in its entirety. Attorney McAskin reviewed the background as follows:

Ordinance No. 19-04 amends the Municipal Code repeal Article IV of Chapter 5 currently titled “Electric Franchise” in its entirety. This proposed Ordinance is properly characterized as an administrative clean-up ordinance.

On March 5, 2006, City Council adopted Ordinance 96-3 on second reading, which granted an electric franchise to United Power, Inc. and its successors and assigns (“United”). The City’s franchise agreement with United established a term of ten (10) years, and the franchise expired on March 5, 2016. The franchise agreement is currently set forth in full in the Municipal Code, specifically in Article IV of Chapter 5 of the Code. City Staff and the codifier of the Municipal Code are requesting that Article IV of Chapter 5 of the Municipal Code be repealed in its entirety given that the City’s franchise with United has expired. Repeal of Article IV of Chapter 5 of the Code should eliminate any confusion as to whether United has a current franchise with Central City.

Alderman Aiken moved to adopt Ordinance No. 19-04: An ordinance of the City Council of the City of Central, Colorado, repealing Article IV of Chapter 5 of the City of Central Municipal Code in its entirety, and further moved that second reading and public hearing be scheduled for Tuesday, May 21, 2019 at 7:00 p.m. to be held in these Council Chambers. Alderman Johnson seconded. and without discussion, the motion carried unanimously.

Ordinance No. 19-05: An ordinance of the City Council of the City of Central, Colorado, amending certain provisions of Article VII and Article IX of Chapter 6 of the Municipal Code concerning Medical Marijuana Establishments and Retail Marijuana Stores; specifically, Sections 6-7-210 and 6-9-200 concerning hours of operation.

City Clerk Bechtel explained that this Ordinance amends the Municipal Code to expand the authorized hours of operation of medical marijuana establishments and retail marijuana stores in Central City to the hours of operation authorized by state law, specifically the hours of operation set forth in the Medical Marijuana Rules and Retail Marijuana Rules promulgated by the Colorado Department of Revenue, Marijuana Enforcement Division (1-CCR 212-1 (M 308) and 1-CCR 212-2 (R 308)). State law currently permits medical marijuana establishments and retail marijuana stores to operate between the hours of 8:00 a.m. and 12:00 a.m. (midnight), Mountain Time, Monday through Sunday. State law permits the City to further restrict these hours. The Municipal Code currently authorizes medical marijuana establishments and retail marijuana stores to operate between 10:00 a.m. and 10:00 p.m., Monday through Sunday. Adoption of the proposed Ordinance will authorize medical marijuana establishments and retail marijuana stores to be open for business an additional four (4) hours per day.

The expansion of operating hours of marijuana establishments was discussed briefly at the April 16, 2019 work session, and City Council instructed staff to prepare the proposed Ordinance.
Alderman Aiken moved to adopt Ordinance No. 19-05 An ordinance of the City Council of the City of Central, Colorado, amending certain provisions of Article VII and Article IX of Chapter 6 of the Municipal Code concerning Medical Marijuana Establishments and Retail Marijuana Stores; specifically, Sections 6-7-210 and 6-9-200 concerning hours of operation, and further moved that second reading and public hearing be scheduled for Tuesday, May 21, 2019 at 7:00 p.m. to be held in these Council Chambers. Mayor pro tem Laratta seconded. And without discussion, the motion carried unanimously.

Resolution No. 19-12: A resolution of the City Council of the City of Central, Colorado approving a construction contract with Rodney D. Burrows & Associates for the 2019 West Public Stairway Project (Project No. PW-2019-1)

Public Works Director Hoover explained that the City issued a request for proposals for work associated with the West Public Stairway Project (“Project”). Following review of bids submitted, City Staff is recommending that the Project be awarded to Rodney D. Burrows & Associates, a Colorado corporation (“Contractor”). This Resolution approves the award of the Project to the Contractor and delegates authority to the City Manager to execute the Construction Contract with the Contractor for the not-to-exceed price of $115,689.00. The work associated with the Project is more fully described in the Contractor’s form of bid attached to and incorporated into the Construction Contract (“Contract”).

The City invited proposals from qualified contractors to remove and dispose of an existing stairway, furnish and install metal stair treads and risers, handrail, guardrail, and landings, including engineering, excavation, foundations and retaining required for the West Public Stairway leading from 219 Eureka Street to 216 W First High Street. The Contract provides for, among other terms and conditions, a warranty and performance bond and a not-to-exceed amount of $115,689.00. The work is expected to be completed no later than November 1, 2019.

Alderman Hidahl initiated a discussion regarding the need for the Central Stairway to be replaced first due to the amount of use and the condition. Council consensus is to have staff determine if the West Stairway can be repaired or if it will need to be closed until it can be replaced.

Alderman Hidahl moved to approve Resolution No. 19-12: A resolution of the City Council of the City of Central, Colorado approving a construction contract with Rodney D. Burrows & Associates for the 2019 West Public Stairway Project (Project No. PW-2019-1) with an amended scope of work to shift the Project to the Central Stairway project. Mayor pro tem Laratta seconded, and without discussion, the motion carried unanimously.

REPORTS
City Manager Miera provided information from the recent Gaming Commission meeting.

COUNCIL COMMENTS
Alderman Hidahl questioned if staff is prepared for developer requests. And inquired on the 2% sales tax revenue for the 1st quarter collected for Public Safety.

Alderman Johnson reported that the recent LEPC meeting discussed the 1-800 conversion. Fire Chief Allen added that this will be a phased approach.
PUBLICFORUM/AUDIENCEPARTICIPATION
No one requested time to address the Council.

At 8:48 p.m., Mayor Fey adjourned the meeting.
The next Council meeting is scheduled for May 21, 2019 at 7:00 p.m.

Jeremy Fey, Mayor

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

FROM: Reba Bechtel, City Clerk
THROUGH: Marcus McAskin, City Attorney
DATE: May 14, 2019 (for May 21, 2019 meeting)
ITEM: Ordinance 19-04, An Ordinance of the City Council of the City of Central, Colorado, Repealing Article IV of Chapter 5 of the Municipal Code in its Entirety (due to expired franchise agreement)

___ X ___ ORDINANCE
          ___ MOTION
          ___ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 19-04 (the “Proposed Ordinance”) amends the Municipal Code repeal Article IV of Chapter 5 currently titled “Electric Franchise” in its entirety. The Proposed Ordinance is properly characterized as an administrative clean-up ordinance.

II. RECOMMENDED ACTION / NEXT STEP: Consider and approve Ordinance No. 19-04 on second reading, following a public hearing. The Ordinance was approved on first reading on May 7, 2019, and the public hearing was scheduled for May 21, 2019 at 7:00 p.m.

III. BACKGROUND INFORMATION:

On March 5, 2006, City Council adopted Ordinance 96-3 on second reading, which granted an electric franchise to United Power, Inc. and its successors and assigns (“United”).
The City's franchise agreement with United established a term of ten (10) years, and the franchise expired on March 5, 2016. The franchise agreement is currently set forth in full in the Municipal Code, specifically in Article IV of Chapter 5 of the Code.

City Staff and the codifier of the Municipal Code are requesting that Article IV of Chapter 5 of the Municipal Code be repealed in its entirety given that the City's franchise with United has expired. Repeal of Article IV of Chapter 5 of the Code should eliminate any confusion as to whether United has a current franchise with Central City.

IV. **FISCAL IMPACTS:** None.

V. **LEGAL ISSUES:** None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None.

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

(1) Adopt Ordinance No. 19-04 on second reading following public hearing; or

(2) Direct staff to revise the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for second reading.

**RECOMMENDED MOTION:** "I MOVE TO APPROVE ORDINANCE NO. 19-04, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO REPEALING ARTICLE IV OF CHAPTER 5 OF THE CITY OF CENTRAL MUNICIPAL CODE IN ITS ENTIRETY ON SECOND READING."
CITY OF CENTRAL, COLORADO
ORDINANCE 19-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO, REPEALING ARTICLE IV OF CHAPTER 5 OF THE CITY OF
CENTRAL MUNICIPAL CODE IN ITS ENTIRETY

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, on March 5, 2006, City Council adopted Ordinance 96-3 on second reading,
which granted an electric franchise to United Power, Inc. and its successors and assigns ("United"); and

WHEREAS, by its terms, the City’s franchise with United expired on March 5, 2016; and

WHEREAS, the City’s franchise with United is codified in Article IV of Chapter 5 of the
City of Central Municipal Code (the “Municipal Code”), titled “Electric Franchise”; and

WHEREAS, City Council desires to repeal Article IV of Chapter 5 of the Municipal Code
given that the franchise with United has expired; 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. Article IV of Chapter 5 of the Municipal Code, titled “Electric Franchise”
is hereby repealed in its entirety.

Section 2. The codifier of the Municipal Code is instructed to replace Article IV of
Chapter 5 to read in its entirety as follows:

ARTICLE IV

[Reserved]

Section 3. Severability. Should any one or more sections or provisions of this
Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect,
impair or invalidate the remaining provisions of this Ordinance, the intention being that the various
sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or
inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed;
provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 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 7th day of May, 2019, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

______________________________
Jeremy Fey, 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 21st day of May, 2019.

CITY OF CENTRAL, COLORADO

______________________________
Jeremy Fey, Mayor
ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on May 9, 2019.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on May 23, 2019.
AGENDA ITEM # 8
CITY COUNCIL COMMUNICATION FORM

FROM: Reba Bechtel, City Clerk
THROUGH: Marcus McAskin, City Attorney
DATE: May 14, 2019 (for May 21, 2019 meeting)
ITEM: Ordinance 19-05, An Ordinance of the City Council of the City of Central, Colorado, Amending Sections 6-7-210 and 6-9-200 of the Municipal Code (Concerning Hours of Operation of Medical Marijuana Establishments and Retail Marijuana Stores)

___ X ORDNANCE
____ MOTION
____ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 19-05 (the "Proposed Ordinance") amends the Municipal Code to expand the authorized hours of operation of medical marijuana establishments and retail marijuana stores in Central City.

The expansion of operating hours of marijuana establishments was discussed briefly at the April 16, 2019 work session, and City Council instructed staff to prepare the Proposed Ordinance.

II. RECOMMENDED ACTION / NEXT STEP: Consider and approve Ordinance No. 19-04 on second reading, following a public hearing. The Ordinance was approved on first reading on May 7, 2019, and the public hearing was scheduled for May 21, 2019 at 7:00 p.m.

III. BACKGROUND INFORMATION:
The Proposed Ordinance amends the Municipal Code to expand the authorized hours of operation of medical marijuana establishments and retail marijuana stores to the hours of
operation authorized by state law, specifically the hours of operation set forth in the Medical Marijuana Rules and Retail Marijuana Rules promulgated by the Colorado Department of Revenue, Marijuana Enforcement Division (1-CCR 212-1 (M 308) and 1-CCR 212-2 (R 308)). State law currently permits medical marijuana establishments and retail marijuana stores to operate between the hours of 8:00 a.m. and 12:00 a.m. (midnight), Mountain Time, Monday through Sunday.

State law permits the City to further restrict these hours. The Municipal Code currently authorizes medical marijuana establishments and retail marijuana stores to operate between 10:00 a.m. and 10:00 p.m., Monday through Sunday. Adoption of the Proposed Ordinance will authorize medical marijuana establishments and retail marijuana stores to be open for business an additional four (4) hours per day.

The Proposed Ordinance amends Section 6-7-210 and Section 6-9-200 of the Municipal Code as follows, with strike through to show deleted text and underline to show new text:

Sec. 6-7-210. Hours of Operation.

A medical marijuana establishment may serve, sell or distribute medical marijuana only between the hours of 10:00 8:00 a.m. and 10:00 p.m. 12:00 a.m., Mountain Time, Monday through Sunday.

Sec. 6-9-200. Retail marijuana store requirements and restrictions.

(a) No retail marijuana store approved pursuant to this article may sell marijuana at any time except between the hours of 10:00 8:00 a.m. and 10:00 p.m. 12:00 a.m., Mountain Time, Monday through Sunday.

IV. FISCAL IMPACTS: None.

V. LEGAL ISSUES: None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: None.

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

(1) Adopt Ordinance No. 19-05 on second reading following public hearing; or

(2) Direct staff to revise the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for second reading.

RECOMMENDED MOTION: "I MOVE TO APPROVE ORDINANCE NO. 19-05, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING CERTAIN PROVISIONS OF ARTICLE VII AND ARTICLE IX OF CHAPTER 6 OF THE MUNICIPAL CODE CONCERNING MEDICAL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA STORES, SPECIFICALLY, SECTIONS 6-7-210 AND 6-9-200 CONCERNING HOURS OF OPERATION ON SECOND READING."
Name: Joseph R Licata
Phone Number: 3038293095
Email Address: mmjcentral@gmail.com
Message:
It really would be good if you could change the time of opening business for Dispensaries to 8am, one good reason it that the changing shifts and early risers must get their product in Denver/Aurora and Central City loses the tax money. We would love to keep it in our City of Central.
Tks
Joe
Co-owner of RMO in Central City
CITY OF CENTRAL, COLORADO
ORDINANCE 19-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING CERTAIN PROVISIONS OF ARTICLE VII AND ARTICLE IX OF CHAPTER 6 OF THE MUNICIPAL CODE CONCERNING MEDICAL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA STORES; SPECIFICALLY, SECTIONS 6-7-210 AND 6-9-200 CONCERNING HOURS OF OPERATION

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 Nos. 13-09 and 13-10, which Ordinances established regulations pertaining to the licensing and operation of medical marijuana establishments and retail marijuana stores; and

WHEREAS, the City Council desires to amend Sections 6-7-210 and 6-9-200 of the Municipal Code to conform the hours of operation of medical marijuana establishments and retail marijuana stores with the hours of operation set forth in 1-CCR 212-1 (M 308) and 1-CCR 212-2 (R 308); and

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

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

Section 1. Section 6-7-210 of the Municipal Code is hereby amended to read as follows, with strike through to show deleted text and underline to show new text:

Sec. 6-7-210. Hours of Operation.

A medical marijuana establishment may serve, sell or distribute medical marijuana only between the hours of 10:00 a.m. and 10:00 p.m. 12:00 a.m., Mountain Time, Monday through Sunday.

Section 2. Section 6-9-200(a) of the Municipal Code is hereby amended to read as follows, with strike through to show deleted text and underline to show new text:

Sec. 6-9-200. Retail marijuana store requirements and restrictions.

(a) No retail marijuana store approved pursuant to this article may sell marijuana at any time except between the hours of 4:00 a.m. and 10:00 p.m. 12:00 a.m., Mountain Time, Monday through Sunday.
Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 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 7th day of May, 2019, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

________________________________________
Jeremy Fey, 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 21st day of May, 2019.

CITY OF CENTRAL, COLORADO

Jeremy Fey, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on May 9, 2019.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on May 23, 2019.
AGENDA ITEM # 10

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Fey and Members of City Council
FROM: Sam Hoover, Public Works Director
THROUGH: Marcus McAskin, City Attorney
DATE: May 15, 2019 (Meeting Date May 21, 2019)
ITEM: Resolution No. 19-13

I. REQUEST OR ISSUE: Resolution 19-13 ("Resolution") approves a change order for certain revised work associated with the City's 2019 Stairway Project (Project No. PW-2019-1) (the "Project") and authorizes the City Manager or designee to execute the change order.

II. BACKGROUND:

The City Council previously awarded the Project to RODNEY D. BURROWS & ASSOCIATES, a Colorado corporation ("Contractor"), by approval of Resolution No. 19-12. That prior resolution authorized the City Manager to execute the construction contract with the Contractor in the not-to-exceed amount of $115,689.00.

Based upon discussion at the May 7th regular City Council meeting, and as set forth in the prior resolution, the City directed the Contractor to work with Staff to modify the scope of work related to the Project, specifically substituting the Central Stairway Project for the West Stairway Project.
Consistent with Council’s direction, Staff requested a quote from the Contractor for the revised work and the Contractor has submitted a change order for the revised work ("Change Order No. 1") a copy of which is attached as Exhibit A to Resolution No. 19-13. The change order increases the NTE amount in the construction contract from $115,689.00 to $120,771.00, an increase of $5,082.00.

Public Works supports approval of Change Order No. 1. I will be available to answer any Project-specific questions at the May 21\textsuperscript{st} regular City Council meeting.

III. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution No. 19-13.

IV. **FISCAL IMPACTS:** Funds for the revised work are appropriated in the City’s 2019 budget, as adopted by City Council. As set forth above, the cost of the revised work is $5,082.00.

V. **LEGAL ISSUES:** N/A

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

VII. **SUMMARY AND ALTERNATIVES:** City Council may approve the Resolution or table the item for further discussion and consideration.

**PROPOSED MOTION:** "I move to approve Resolution No. 19-13, a Resolution of the City Council of the City of Central, Colorado approving Change Order No. 1 for the 2019 Stairway Project (Project No. PW-2019-1) and authorizing the City Manager or Designee to execute the Change Order."

**Attachments:**

1. Resolution No 19-13
CITY OF CENTRAL, COLORADO
RESOLUTION NO. 19-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO APPROVING CHANGE ORDER NO. 1 FOR THE 2019 STAIRWAY PROJECT (PROJECT NO. PW-2019-1) AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE CHANGE ORDER

WHEREAS, by Resolution No. 19-12 ("Prior Resolution"), the City Council awarded the 2019 West Public Stairway Project (Project No. PW-2019-1) to RODNEY D. BURROWS & ASSOCIATES, a Colorado corporation ("Contractor") and authorized the City Manager to execute the construction contract with Contractor in the not to exceed amount of one hundred fifteen thousand six hundred eighty-nine dollars ($115,689.00) (the "NTE Compensation"); and

WHEREAS, based upon discussion that the May 7, 2019 and as more particularly set forth in the Prior Resolution, the City directed the Contractor to modify the scope of work related to the Project, specifically substituting the Central Stairway Project for the West Stairway (the "Revised Work"); and

WHEREAS, the City desires to authorize the Contractor to undertake the Revised Work and further desires to amend the NTE Compensation set forth in the construction contract ("Contract") to $120,771.00 an increase of $5,082.00; and

WHEREAS, there has been submitted to the City a change order for the Revised Work ("Change Order No. 1") a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, Change Order No. 1 has been reviewed and approved by the Public Works Director; and

WHEREAS, the City Council desires to approve Change Order No.1 and authorize the City Manager to execute the same on behalf of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, THAT:

Section 1. The City Manager or his designee is authorized to sign Change Order No. 1, by and between the City of Central and the Contractor, in the amount of $5,082.00 in the form attached hereto as Exhibit A. Change Order No. 1 authorizes the Revised Work and amends the NTE Compensation set forth in the Contract to $120,771.00.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the City Council.
ADOPTED THIS 21st DAY OF MAY, 2019.

CITY OF CENTRAL, COLORADO

By: ____________________________
    Jeremy Fey, Mayor

ATTEST:

By: ____________________________
    Reba Bechtel, City Clerk

APPROVED TO FORM:

By: ____________________________
    Marcus McAskin, City Attorney
Exhibit A – Change Order No. 1

City of Central City
Public Stairway Design and Installation
RFP # 2019-1

Request for Change Order #1
Date: May 15, 2019

To: Mr. Sam Hoover
Public Works Director
City of Central City
141 Nevada Street
Central City, CO 80427

From: Rodney D. Burrows, Principal
Rodney D. Burrows & Associates, A Colorado Corporation
1330 Nickel Court
Broomfield, CO 80020

We propose a change to the Contract as follows:

Background and Reason for Change Order: The original proposal was for a stairway approximately 150 feet long to be located adjacent to 239 Eureka Street in Central City. The City Council determined that while the stairway at 311 Eureka is important, an alternative location at 111 Eureka is similar in scope but serves more pedestrian traffic. The City Council requested that we change the project scope to the new location.

The new stairway is similar in layout and length, but will require a walkway that is 4 feet wide rather than the 3' wide walkway on the original design. The additional cost in material and labor for the new location is $3750. Additional profit, overhead and contingency is $1125. Additional bonding cost is about $297, for a total additional cost of $5082.

ORIGINAL CONTRACT SUM: $115,689
Plus PREVIOUSLY APPROVED CHANGE ORDERS: 0
CURRENT CONTRACT SUM: $115,689
Plus THIS PROPOSED CHANGE ORDER: $5,082
PROPOSED NEW CONTRACT SUM: $120,771
PROPOSED CHANGE IN SCHEDULE: No change

Thank you again for the opportunity to work with you on this important project. Please do not hesitate to contact us at 971-533-6665 if you need any additional information about this change order or the work involved.

Sincerely,

[Signature]
Rodney Burrows, PE
Rodney D. Burrows & Associates, A Colorado Corporation

Approval:

[Signature]
Public Works Director
City of Central City
# Community Development Department –
Department Update – May 21, 2019

## Building

<table>
<thead>
<tr>
<th>Permits</th>
<th>2017</th>
<th>39 permits</th>
<th>Value - $ 655,900</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
<td>33 permits</td>
<td>Value - $1,008,099</td>
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<tr>
<td></td>
<td>2019</td>
<td>9 permits</td>
<td>Value - $ 198,076</td>
</tr>
</tbody>
</table>

ISO Current Rating: 4 SFR / 3 Commercial/Industrial – Prior rating: 9

## Planning

Various Initial Development/Building Inquires addressed

Growth IGA – Manages Meeting to Discuss

Trails/Recreation

Grant Application Progressing – Deadline June 27th

Chase Res.

Alternative Recreational Options will be investigated

Planning Commission

Last meeting – May 1, 2019

Topic: Training

## Economic Development

Northwest Colorado Enterprise Zone – Promotion Continues

HEAL Colorado

Rapid Food Assessment – Report Completed – Support of County Farmer Market

CU Denver

Grant Denied – Alternatives being pursued

## Historic Preservation

Belvidere Theater

Owner Representative – Under Contract

March 18, 2019 – public input received – Direction from council received – Plans underway

DOLA Mineral Impact Grant – Awarded – up to $179,350

Form Works Design Group Selected

Historic Preservation Commission

Last Meeting – December 12

- 102 Main – Century – Stair replacement
- Revised Design Guidelines

2019 cases

1

## Code Enforcement

Respond to complaints made –

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>33</th>
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<tbody>
<tr>
<td></td>
<td>2018</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>17</td>
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Sidewalk Snow

Citations Issued YTD: 6 – A fines have been paid
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<thead>
<tr>
<th><strong>Marketing/Events</strong></th>
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<tbody>
<tr>
<td>Billboard</td>
</tr>
<tr>
<td>Central City App - Mobile Town Guide developed “Mobile Town Guide Central City” – Expires In 2019</td>
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<tr>
<td>Editing videos for commercial and digital media content</td>
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<tr>
<td>Main Street Central City –</td>
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<tr>
<td>Direct City Marketing / Promotion</td>
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<tr>
<td>New 2019 Rack Card</td>
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<td>2019 Media Buy</td>
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<tr>
<td>2019 Events</td>
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<tr>
<td>Marketing Plan</td>
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<thead>
<tr>
<th><strong>Audio Visual / Website / Information Technology</strong></th>
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<tbody>
<tr>
<td>Website/Social Media – Currently revising the web page</td>
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<tr>
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<tr>
<td>Livestreaming of City Council Meetings</td>
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<td>PBX/ Phone Systems</td>
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<tr>
<th><strong>Staff</strong></th>
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<tr>
<td>Managing consultants</td>
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<tr>
<td>Training at UC Denver</td>
</tr>
<tr>
<td>UC Denver Intern</td>
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<tr>
<td>Historic Preservation &amp; Code Enforcement Officer – Offer made – Tentative start date of June 3, 2019</td>
</tr>
</tbody>
</table>
INTEROFFICE MEMORANDUM

TO: Mayor Fey, City Council, and City Manager
FROM: Sam Hoover, Public Works Director
SUBJECT: Council Update: Bi-weekly Report
DATE: May 15, 2019

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

- Vehicle maintenance
- Patched potholes
- Took possession of, and received training on the new street sweeper
- Performed street sign maintenance
- Revised the West Stairway Replacement Project
- Posted an RFP for a slurry seal on the Parkway
- Discussed the Spring Street Project with Xcel and the city’s contractor
  - Pre-construction meeting scheduled for May 21st
  - Work scheduled to resume on May 28th
- Participated in and provided support for the City Cleanup Day
- Discussed the scope of the Storm Water Master Plan update with SMA
- Discussed the Lighting Master Plan with Ackerman Engineering
To: City Manager, Daniel Miera
From: Jack Beard, Water Operator
Date: May, 2019
Re: Bi-Monthly Report

- The department welcomed its newest member to the member at the beginning of the month. Alexa Garrison is your new water treatment plant operator; department staff are working to get her up to speed and state certified.
- The department has been working with vendors to evaluate options for replacing meter reading equipment. The departments current equipment is no long serviceable and customer service will be ending in July. Please note, the physical water meters are in good shape. The equipment we will be replacing allows us to read the water usage of every water meter in the city.
- Staff collected routine water samples throughout; and sample results were submitted to the state portal.
- Staff has been working to evaluate any surface grade infrastructure that may have been damaged throughout the winter. Staff replaced 3 water meter antennas and 6 water meter pit lids.
- Staff collected routine data at the raw water storage reservoirs and performed safety inspections on the Chase Gulch Dam. This data is submitted on a monthly basis to the state.
- Department staff were able to access the Pecks Gulch Diversion Structure as of May 10th. There is still too much snow to reach the Broomfield and Miners Gulch Diversion structures. At Pecks Gulch staff evaluated the structured and determined that throughout the first winter everything operated well, and small cleaning of stream debris was performed. Staff will attempt to reach Broomfield and Miners in the next weeks.
- The very beginning of the Spring runoff has begun. Flows have increased three times from that of the winter flows. Staff predicts that peak runoff flows at hole in the ground reservoir will be around 15 times that of the average winter flow.
- Department staff performed locates for water distribution system piping. Water line locates are performed to protect the city's existing underground assets during and throughout various construction and excavation jobs.
- Chase Gulch reservoir is now one hundred percent ice free and is beginning to refill from last fall's water use. As the spring runoff peaks and the diversion structures capture flows, we will see Chase Gulch fill quickly.
- Staff worked to replenish the diesel fuel tanks at all the standby backup generators. The backup generators at the water treatment plant and pump stations are a vital part of operation throughout power outages.
- Water department staff worked together with Public Works staff to temporarily repair a leaking water pipe in city hall. Staff patched the leaking pipe and setup air fans to mitigate any damage. The pipe was later permanently repaired by a certified fire suppression system plumber.