

**CITY OF CENTRAL
CITY COUNCIL MEETING
June 27, 2012**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:07 p.m., in City Hall on June 27, 2012.

ROLL CALL

Present: Mayor Engels
Alderman Spain
Alderman Giancola
Alderman Voorhies

Absent: Alderman Lee

Staff Present: Manager Lanning
Attorney Michow
City Clerk Bechtel
Finance Director Flowers
CDD/HPO Thompson
Water Department Manager Griffith
Police Chief Krelle

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 Giancola moved to approve the consent agenda containing the regular bill lists June 7, 14, 21; the May Monthly Report; and the City Council minutes of June 5, 2012. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

PRESENTATION OF MEMORIAL PLAQUE

Mayor Engels presented a memorial plaque to Sandy Schmaltz in memory of former Alderman and Mayor Bruce Schmaltz whose tireless involvement as an Elks leader, a business owner and his leadership in bringing gambling back to Central City is a legacy that lives on.

LIQUOR LICENSE AUTHORITY

Alderman Voorhies moved to open the Liquor Licensing Authority. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

City Clerk Bechtel stated this music festival is a new event to our community this year and they expect 2500+ attendees per day. They would like to make this an annual event and are planning to make this first year a success. They will have private security with PD to be a presence as well. This event is on private property known as the Greek Lots.

Alderman Voorhies moved to approve the Special Event Liquor Permit for Flobots.org for the Higher Ground Music Festival at the Greek Lots on August 24, 25, 26. Alderman Spain seconded and, without discussion, the motion carried unanimously.

Alderman Spain moved to close the Liquor Licensing Authority. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

SECOND READING AND PUBLIC HEARING

Ordinance No.12-05: An ordinance of the City Council of the City of Central, Colorado, amending Section 10-25 of the Municipal Code concerning licensee responsibility for conduct of liquor licensed establishments and reporting of unlawful activity in licensed establishments by liquor licensees.

Police Chief Krelle stated that this is a housekeeping item.

At 7:15 p.m., Mayor Engels opened the Public Hearing. Hearing no comment, at 7:16 p.m., Mayor Engels closed the Public Hearing.

Alderman Giancola moved to adopt Ordinance No.12-05: An ordinance of the City Council of the City of Central, Colorado, amending Section 10-25 of the Municipal Code concerning licensee responsibility for conduct of liquor licensed establishments and reporting of unlawful activity in licensed establishments by liquor licensees. Alderman Spain seconded and, without discussion, the motion carried unanimously.

Ordinance No. 12-06: An ordinance of the City Council of the City of Central, Colorado, amending Article VII of Chapter 6 of the Municipal Code to create an Entertainment District in which common areas for the consumption of alcohol may be operated by Promotional Associations and to allow administrative approvals for certain liquor related applications.

At 7:17 p.m., Mayor Engels opened the Public Hearing. Gloria Gaines, 781 Martin Drive, asked for understanding of the process and if the Business Improvement District (BID) could be the Promotional Association. Attorney Michow explained that applicants have to organize per state law. At 7:24 p.m., Mayor Engels closed the Public Hearing.

Alderman Voorhies moved to adopt Ordinance No. 12-06: An ordinance of the City Council of the City of Central, Colorado, amending Article VII of Chapter 6 of the Municipal Code to create an Entertainment District in which common areas for the consumption of alcohol may be operated by Promotional Associations and to allow administrative approvals for certain liquor related

applications. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

Ordinance No.12-07: *An ordinance of the City Council of the City of Central, Colorado, amending certain provisions of Article VI of Chapter 10 of the Central City Municipal Code regarding Offenses Against Public Peace: and adopting sound-amplification equipment regulations for the Historic Downtown Gaming (HDG) Zoning District.*

CDD Thompson explained that a change has been made to allow only 1 permit per zone per Council request.

At 7:26 p.m., Mayor Engels opened the Public Hearing. Gloria Gaines, 781 Martin Drive, asked if the music would be the same for any participating businesses. Mayor Engels stated that there will be one sound system and the City will control the permit process. At 7:32 p.m., Mayor Engels closed the Public Hearing.

Alderman Giancola moved to adopt Ordinance No.12-07: An ordinance of the City Council of the City of Central, Colorado, amending certain provisions of Article VI of Chapter 10 of the Central City Municipal Code regarding Offenses Against Public Peace: and adopting sound-amplification equipment regulations for the Historic Downtown Gaming (HDG) Zoning District with an amendment to one permit per year per zone district. Alderman Spain seconded and, without discussion, the motion carried 3 votes to 1 with Alderman Voorhies voting no.

NEW BUSINESS

Resolution 12-09: *A resolution appointing the Municipal Judge and setting the term and compensation for service.*

Manager Lanning explained that this item was approved at the last Council meeting so we are now confirming the appointment of Judge Gloss as the City Judge, by resolution. The total fiscal impact is \$8,400 annually at \$700/month. This comes after an extensive process of in-person observation of court proceedings and a round of interviews of all candidates. This appointment ends January 31, 2014.

Alderman Giancola moved to approve Resolution 12-09: A resolution appointing the Municipal Judge and setting the term and compensation for service. Alderman Voorhies seconded and, without discussion, the motion carried unanimously.

Resolution 12-10: *A resolution of the City Council of the City of Central, Colorado, amending the City of Central Comprehensive Fee Schedule.*

City Clerk Bechtel explained this proposed resolution amends the comprehensive fee schedule to add fees for the Common Consumption Area and Promotional Association certification as established in Ordinance No. 12-06 with the same fees as Greeley has approved.

- Common Consumption Areas: Application fee \$500; License fee \$150; Renewals/Inclusions/Exclusions \$125
- Promotional Association: Certification \$100; Recertification \$50

Alderman Voorhies moved to approve Resolution 12-10: A resolution of the City Council of the City of Central, Colorado, amending the City of Central Comprehensive Fee Schedule. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

Audit Presentation

Finance Director Flowers explained the 2011 Audit as prepared by John Cutler & Associates. In 2011, we did a lot of projects and still increased our fund balance.

John Cutler stated this is a clean, unqualified audit opinion. As always they gave advice for internal controls but there is nothing serious to report.

Alderman Voorhies moved to accept and approve the City of Central's 2011 Audited Financial Statements. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

Amendment to City Manager's Contract

Attorney Michow explained that the proposed amendment to Mr. Lanning's employment contract as City Manager arises from previous direction from the City Council. The proposed change to paragraph 6 is shown in strike through below:

~~The Employee shall be physically present at, and will work from, City Hall, Monday through Friday, generally between the hours of 8 a.m. and 5 p.m. (excluding City recognized holidays and off site City meetings and business engagements), and shall be available to the City at all times during the Term by telephone or e-mail. The Employee shall advise the Mayor in advance of any period that he expects to be unavailable to the City for a period exceeding 24 hours.~~

Alderman Spain moved to approve the 3rd Amendment to Employment Agreement. Alderman Voorhies seconded and, without discussion, the motion carried 3 votes to 1 with Alderman Giancola voting no.

STAFF REPORTS

Manager Lanning reported the following:

Work session dates – July 10, 17, 19, and 24

Sinkhole – the project is complete

Higher Ground Music Festival – staff met with them today and we have given them approval since they have met all our requirements and are very willing to work with us. This year is an experiment and fits our goal to add diversification. They want to make this an annual event.

Street lighting – in a CML conference session there was discussion of LED vs. incandescent lighting. We will be changing the parkway lights to LED within the Ennovate contract.

COUNCIL COMMENTS

Alderman Voorhies stated that she learned a lot at the CML conference. She gave kudos to Public Works for all their behind the scenes help with Lou Bunch as well as the Opera Picnic.

Alderman Giancola also gave kudos to Public Works their help with Lou Bunch and stated that Main Street looked good for the event. He added that Finance Director Flowers did a good job on the audit.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Gloria Gaines, 781 Martin Drive, offered the following suggestions:

Main Street Parking – consider the 11 spaces to be designated as handicap spaces and place something in the small space by the fire hydrant so cars won't try to park there; and

Parking Garage Options – each option has good things to offer and considers the pedestrian bridges a good idea but would like to have prior notice of these discussions sent to the PC and HPC. She

offered that the Knights of Pythias building has one part contributing and one part non-contributing. Also noted that there is nothing on the plans to show that the post Office is included or that there would be designated parking for postal patrons.

Cemetery Crawl – the same weekend as the Higher Ground Music Festival

Hearing no further business, Mayor Engels adjourned the meeting at 8:12 p.m.

The next meeting will be a special Council meeting scheduled for July 17, 2012 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk