

CITY OF CENTRAL, COLORADO
NOTICE OF A SPECIAL MEETING of the CITY COUNCIL to be held on
Wednesday, June 27, 2012 @ 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 access channel, on the City Hall bulletin board, at the Post Office and at Washington Hall the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.
2. Roll Call. Mayor Ron Engels
Mayor Pro-Tem Bob Spain
Council members Bob Giancola
Shirley Voorhies
Rita Lee
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 of June 7, 14, 21;
May Monthly Report; and
City Council minutes: June 5, 2012.

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.

7. Presentation of Memorial Plaque to Sandy Schmaltz in memory of former Mayor Bruce Schmaltz

LIQUOR LICENSE AUTHORITY –

8. Special Event Liquor: (Bechtel)
Elobots.org for the Higher Ground Music Festival at the Greek Lots on August 24, 25, 26

SECOND READING AND PUBLIC HEARING –

9. 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. (Krelle)
10. Ordinance No. 12-06: An ordinance of the City Council of the City of Central, Colorado, amending Article VII of Chapter 10 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. (Michow)

11. 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. (Thompson)

ACTION ITEMS: NEW BUSINESS –

12. Resolution 12-09: A resolution appointing the Municipal Judge and setting the term and compensation for service.(Lanning)
13. Resolution 12-10: A resolution of the City Council of the City of Central, Colorado, amending the City of Central Comprehensive Fee Schedule. (Bechtel)
14. Audit Presentation (Flowers)
15. Amendment to City Manager’s Contract (Michow)

REPORTS –

16. 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 July 17, 2012.

Posted 6/22/12

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.

**CITY OF CENTRAL
CASH ON HAND
6/21/2012**

Total Beginning ENB Cash on Hand 5/30/2012	238,888.35
Deposits to CCNB	593,395.15
Wires Out CCNB	(19,166.46)
Cleared Checks	(489,544.28)
<hr/>	
5/30/2012	323,572.76
<less previously approved & outstanding>	(54,312.91)
Total ENB Cash on Hand 6/21/2012	269,259.85
Total Beginning Colotrust Cash on Hand 5/30/12	820,100.45
Wires into Account	21,199.22
Wires out of Account-Into Evergreen National	
Total Colotrust Cash on Hand 6/21/2012	841,299.67

***The City is currently in the process of switching the operating account from Evergreen National Bank to Colorado Business Bank. As such, you will see less and less activity out of Evergreen National and on the next cash flow report both of the operating accounts will be reflected. Once all transactions have cleared Evergreen National Bank, it will be removed from this sheet.

Total Balance in Colorado Business Bank on 6/22/12	297,905.09
TOTAL CASH ON HAND 6/21/12	1,408,464.61

**CITY OF CENTRAL
DEBIT CARD PURCHASES
5/31 through 6/21**

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
5/31/2012	Super Bright LEDs	Lights for PW/FD	182.04
6/4/2012	Carbonless Forms	PD Forms	158.00
6/6/2012	Safeway	Water for Water Plant	6.70
6/7/2012	Safeway Fuel	Fuel for PD	44.74
6/8/2012	Foreign Car Service	Emissions for Auction Vehicles	130.00
6/8/2012	Earthlink.net	Internet	21.95
6/11/2012	Konvenience Corner	Fuel for PD	42.54
6/11/2012	Food & Gas Zone	Fuel/Drinks for PD	51.00
6/11/2012	Witmer Public Safety	Supplies for PD/FD	55.97
6/11/2012	Gempler	Water Dept Uniform Shirts	215.45
6/11/2012	Embassy Suite Albuquerque	PD Firearms Training Lodging	876.88
6/11/2012	Traffic Safety Stop	PW Traffic Safety Signs	734.42
6/13/2012	Gempler	Water Dept Uniform Shirts	130.15
6/13/2012	Northern Tool	Tools for PW	50.34
6/14/2012	Amazon.com	Pw Tools and Supplies	198.99
6/14/2012	JJ Keller & Assoc	PW Manual	90.62
6/14/2012	Radiator Service	PW Repairs	115.00
6/14/2012	Downtown CO	Planner Registration	15.00
6/15/2012	HSG Conference Registration	Registration for Clerk Conference	550.00
6/18/2012	Ralston Ace Hardware	PW Supplies & Parts	29.99
6/18/2012	Gotomypc.com	Software Purchase	170.40
6/18/2012	OCPO	Water Testing	60.00
6/20/2012	Safeway	Water for Water Plant	7.26
6/20/2012	Shamrock		19.11
6/21/2012	Miner Street		35.09
TOTAL			3,991.64

CASH FLOW
CHECK LISTING

Inv Date	Inv #	Ck. Date	CK#	Vendor	Description	Amount	Mail Date
5/31/12	730039712	6/15/12	124948	DPC Industries	Water Plant Chemicals	359.47	
5/29/12	162683	6/15/12	124949	Albert Frei and Sons	Road Base	232.70	
5/25/12	44162	6/15/12	124950	Cascade Fire Equipment	Pants for FD	597.79	
5/30/12	11149	6/15/12	124951	Blackwell Oil	Fuel	6,067.57	
3/22/12	032212	6/15/12	124952	Clear Creek Clerk and Recorder	Filing Fees	143.00	
5/23/12	5751120576	6/15/12	124953	Clear Creek Supply	Auto Parts	521.58	
6/8/12	0100434200	6/15/12	124954	Gilpin County Sheriffs	2nd Qtr Dispatch Services	7,500.00	
5/29/12	052912	6/15/12	124955	Home Depot	PW and Water Parts and Supplies	1,639.95	
6/11/12	2215874	6/15/12	124956	Idaho Springs Lumber	Cement and PW Supplies	17.88	
5/31/12	0250547	6/15/12	124957	The Lighthouse	Housing for Light	68.72	
5/21/12	866064	6/15/12	124958	Medved	Auo Parts	120.10	
6/4/12	060412	6/15/12	124959	Xcel Energy	Electricity	10,488.11	
5/22/12	390606126	6/15/12	124960	Cintas	Safety Glasses, Sun Screen, First Aid Supplies	444.49	
5/25/12	052512	6/15/12	124961	Town Office Supply	Business Cards	109.90	
6/6/12	4832980	6/15/12	124962	HD Supply Waterworks	Water Meter Supplies	1,756.24	
5/31/12	21205212	6/15/12	124963	Utility Notification Center	Line Locates	27.37	
5/30/12	53611	6/15/12	124964	Columbia Sanitary Service	Vault Pump Out	225.00	
5/16/12	0039301	6/15/12	124965	J&S Contractors	Signs	244.37	
6/6/12	687156	6/15/12	124966	USA Blue Book	Water Plant Supplies	57.53	
5/30/12	AW16119	6/15/12	124967	McCandless International	Repair to PW Truck	13,149.65	
5/31/12	21303	6/15/12	124968	Widner Michow	General Legal Counsel and Litigation	12,399.94	
6/4/12	120601	6/15/12	124969	Gilpin County Historical Society	Washington Hall Employee	2,325.24	
5/24/12	90027939	6/15/12	124970	Colorado Paint Company	Street Paint	168.30	
5/10/12	388257	6/15/12	124971	Aflac Insurance	Supplemental Insurance Premiums	1,059.16	
6/4/12	81746	6/15/12	124972	CO State Forest Service	Training Shelters	1,147.60	
6/1/12	534896	6/15/12	124973	FSH Communications	Pay Phone Service	70.00	
3/7/12	13920	6/15/12	124974	MY-Lor Inc	ID Tags for FD	161.15	
5/25/12	052512	6/15/12	124975	Skybeam	Internet for Water General	75.34	
6/4/12	060312	6/15/12	124976	Sprint	Long Distance Fax	8.41	
6/13/12	061212	6/15/12	124977	Johnson Auto Plaza	2012 Dodge Ram PW	42,297.00	Sent
3/13/12	665095	6/15/12	124978	Raquel Ferszt	Court Interpreter	94.00	
6/1/12	4753056	6/15/12	124979	Stanley Convergent Security	Fire Alarm Repairs	408.97	
5/23/12	4086	6/15/12	124980	Ausmus Law Firm	Municipal Court Prosecution for June	600.00	
5/28/12	1088393179	6/15/12	124981	Verizon Wireless	Cell Phones	789.41	
5/24/12	052412C	6/15/12	124982	USA Communications	Internet for FD	56.93	
5/18/12	D526174	6/15/12	124983	Accutest Mountain States	Water Testing	755.00	
6/8/12	ISP5711856	6/15/12	124984	Sleuth Software	Software Support	3,301.42	
6/1/12	2012532	6/15/12	124985	Omni-Pro Cleaning	Cleaning of City Hall	300.00	
5/31/12	103167	6/15/12	124986	Equinox Pump and Controls	Meter Parts	15,919.80	
5/30/12	106173260	6/15/12	124987	Modular Space Corp.	PW Modular Trailer	136.60	
5/31/12	2151920	6/15/12	124988	EDS Waste Solutions	Dumpster Pick Up	1,633.20	
5/21/12	42065	6/15/12	124989	JVA Inc.	Standards Development and Spring Street	3,172.24	

CASH FLOW
CHECK LISTING

6/21/2012

3/13/12	1135461	6/15/12	124990	Black and Veatch Corp.	CC Water System Study in Progress	27,204.02
6/4/12	1630453001	6/15/12	124991	Pirtek North Valley	Hoses for Vehicles	100.69
5/22/12	4462490002	6/15/12	124992	Wagner Rents	Rental of Boom Lift	750.00
5/24/12	322046	6/15/12	124993	Relm Wireless	Radios for FD	2,925.73
5/1/12	33004	6/15/12	124994	Radio Resource Inc	Radios for FD	4,664.40
6/5/12	168716	6/15/12	124995	Everist Materials	Road Base	612.50
6/1/12	710	6/15/12	124996	Northstar Concrete	Relocate Bollards and Light Pole	6,900.00
6/18/12	061812	6/18/12	124997	Joseph Braccio	Mileage Reimbursement	162.80
6/18/12	061912	6/19/12	124998	Robison Advertising Design	Rack Cards and GCHS Brochures	3,181.00
		6/22/12	124999	Employee Payroll	PR 6/22	142.62
		6/22/12	125000	CO Dept of Revenue	Employee Garnishment	357.93
		6/22/12	125001	ICMA-401	Retirement Contributions	2,480.64
		6/22/12	125002	ICMA-457	Retirement Contributions	1,119.40
		6/22/12	125003	ICMA-IRA	Retirement Contributions	331.00
Total Issued:						235,896.77
Approved & Sent Checks:						54,312.91
Clrd & Pending Approval						42,459.80
Voided Checks						-
Total Pending Approval 6/27						181,583.86

YTD REVENUE EXPENDITURE FUND SUMMARY
AS OF May 31, 2012

<u>Fund</u>	<u>Revenues YTD</u>	<u>Expenditures YTD</u>	<u>Excess/(Deficiency)</u>
General	1,712,383	1,985,332	(272,949)
Historic Preservation	1,972	922,011	(920,039)
Debt	343,816	128,415	215,401
Water	172,808	243,612	(70,804)
Totals	2,230,979	3,279,370	(1,048,391)

Notes to the Revenue & Expense Report

1. 01-413-4303 Building Maintenance-includes HOA's for townhome in amount of \$1,980
2. 01-413-5200 Liability Insurance-Boiler and Machinery premium included in the amount of \$1,205
3. 01-419-3401 Planning & Engineering-Parking Garage study funded by casinos
4. 01-431-4332 Equipment & Tools-Additional funding for these expenses will come from the revenues received for recycling and auction of PW items (YTD \$43,966)
5. 01-450-5416 Business Events/Marketing-Since the City is collecting the additional marketing device fee, the BID is submitting its invoices for marketing/events for the City to pay. The revenues received will off-set the expenditures but this will require a supplemental budget appropriation.
6. 02-456-4304 City Property Rehabilitation-These expenditures are for the Ennovate project. It was initially thought that the lender would be paying Ennovate and the City would only be making the annual lease payment this year. Instead, the lender gave the lease proceeds to the City and we are paying Ennovate directly. This is off-set by the revenue received but will require a supplemental budget appropriation.
7. 02-456-7203 Main St. Streetscape-These expenditures have been accrued into 2011 and will be reversed out of 2012 at the end of the year. They should not be considered for budgetary purposes in 2012.

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

REVENUES					Excess/ (Deficiency)
<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	
01-311-0000	Specific Ownership Tax	377	1,500	25%	(1,123)
01-311-0001	Delinquent Tax & Interest	116	100	116%	16
01-311-0002	Miscellaneous Prop Taxes	-	2,700	0%	(2,700)
01-311-1000	General Property Tax Revenue	12,009	21,645	55%	(9,636)
01-313-0000	Sales Tax Revenue	336,145	600,000	56%	(263,855)
01-313-0001	Delinquent Sales Tax Charges	-	-		-
01-313-1000	Use Tax	5,410	20,000	27%	(14,590)
01-313-3000	Lodging Tax	21,074	36,000	59%	(14,926)
01-318-2000	Franchise Tax	27,501	69,000	40%	(41,499)
01-318-3000	Device Fees Machine Tax	825,129	1,829,991	45%	(1,004,862)
01-318-3001	Device Fee-2nd Add'l	82,475	182,916	45%	(100,441)
01-318-3002	Device Fees-Tollgate	194,709	568,674	34%	(373,965)
01-320-1000	Sales Tax License	2,225	2,000	111%	225
01-320-1001	Business Licenses	615	2,800	22%	(2,185)
01-320-1002	Dispensary License	1,200	2,400	50%	(1,200)
01-321-1000	Liquor License	948	4,000	24%	(3,052)
01-321-6000	Contractors License	1,850	2,700	69%	(850)
01-322-1000	Building Permits	4,383	15,000	29%	(10,617)
01-322-7000	Sign License	175	600	29%	(425)
01-335-4000	Highway User Tax Fund	19,356	45,000	43%	(25,644)
01-335-4002	State Mineral Lease Distr.	-	250	0%	(250)
01-335-4003	State Severance Tax Distr.	-	1,500	0%	(1,500)
01-335-5000	Road & Bridges	7,933	17,000	47%	(9,067)
01-335-6000	Cigarette Tax	738	1,300	57%	(562)
01-335-9000	State Gaming Tax	-	800,000	0%	(800,000)
01-341-1000	Court Costs	660	1,200	55%	(540)
01-341-2000	Other(Pub, Cop, B/D Cert)	70	250	28%	(180)
01-341-3000	Design Review Fees	2,714	5,000	54%	(2,286)
01-341-5000	Other Licenses, Fees & Permits	1,533	4,000	38%	(2,467)
01-341-6000	Elevator Inspection Fee	180	6,000	3%	(5,820)
01-342-0000	Snow Removal/Equipment Rental	-	500	0%	(500)
01-342-1000	Fingerprinting	1,030	2,600	40%	(1,570)
01-342-5000	Impound Fees	-	-		-
01-347-8000	Marketing Revenues-Events	-	-		-
01-351-1000	Fines	16,568	45,000	37%	(28,432)
01-352-1000	Bond Forfeiture	-	-		-
01-361-0000	Interest Income	20	200	10%	(180)
01-362-2000	Surplus Sale Revenue	-	5,000	0%	(5,000)
01-363-1000	Lease Revenue	40,950	43,500	94%	(2,550)
01-390-0000	Other Misc Revenue	86,569	5,000	1731%	81,569
01-390-0422	Fire Dept Revenues	273	3,000	9%	(2,727)
01-390-2001	CCP Maintenance-BID	-	20,000		(20,000)
01-390-2003	Deferred Rev. Recognition	-	5,000	0%	(5,000)
01-391-0001	Sale of Property/Transfers In	-	-		-
01-396-0000	Lawsuit/Insurance Settlements	17,448	-		17,448
TOTAL REVENUES		1,712,383	4,373,326	39%	(2,660,943)

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

JUDICIAL DEPARTMENT

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-412-1100	Salaries & Wages	12,501	26,700	47%	14,199
01-412-2100	Insurance Benefits	842	2,025	42%	1,183
01-412-2200	Payroll Taxes	909	2,050	44%	1,141
01-412-2210	State Unemployment Tax	34	80	43%	46
01-412-2300	401K	286	675	42%	389
01-412-2310	457	-	-		-
01-412-2400	Training/Seminars	20	100	20%	80
01-412-2600	Workers Comp Insurance	432	915	47%	483
01-412-3001	Attorney/Legal	3,000	7,200	42%	4,200
01-412-3301	IT Maintenance	3,391	6,750	50%	3,359
01-412-3330	Municipal Court Expense	210	-		(210)
01-412-4100	Electricity	-	500	0%	500
01-412-4110	Sewer	-	175	0%	175
01-412-5100	Postage	-	550	0%	550
01-412-5200	Liability Insurance	53	105	50%	52
01-412-5300	Telephone	301	2,840	11%	2,539
01-412-5611	Credit Card Processing Fees	169	500	34%	331
01-412-6110	Office Supplies	188	685	27%	497
01-412-6111	Stationary/Forms	80	350	23%	270
01-412-6112	Photocopier Charges	-	850	0%	850
TOTAL JUDICIAL		22,416	53,050	42%	30,634

ADMINISTRATION DEPARTMENT

01-413-1100	Salaries & Wages	47,469	112,200	42%	64,731
01-413-1101	Mayor & Council Salaries	12,850	30,900	42%	18,050
01-413-2100	Insurance Benefits	7,180	17,050	42%	9,870
01-413-2200	Payroll Taxes	3,581	8,600	42%	5,019
01-413-2201	Fica/Mdcr Mayor & Council	983	2,400	41%	1,417
01-413-2210	State Unemployment Tax	219	350	63%	131
01-413-2300	401K	-	5,866	0%	5,866
01-413-2310	457	-	-		-
01-413-2400	Training-Staff	-	2,000	0%	2,000
01-413-2402	Council Training	2,370	3,000	79%	630
01-413-2600	Workers Comp Insurance	2,315	4,901	47%	2,586
01-413-2900	Employee Appreciation	-	-		-
01-413-2901	Car Allowance - City Manager	-	-		-
01-413-3211	Boards & Commissions Stipends	200	2,100	10%	1,900
01-413-3300	Other Professional Services	-	-		-
01-413-3301	IT Services & Support	3,812	3,000	127%	(812)
01-413-3330	Attorney/Legal	54,010	70,000	77%	15,990
01-413-3341	Special Legal	-	15,000	0%	15,000
01-413-4100	Electricity	2,831	4,986	57%	2,155
01-413-4110	Sewer	97	175	55%	78
01-413-4303	Building Maintenance	2,625	1,200	219%	(1,425)

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-413-4304	Alarm Monitoring	138	620	22%	482
01-413-4305	Elevator Contract	296	6,000	5%	5,704
01-413-4400	BLM Land Lease	-	250	0%	250
01-413-4410	Rental Expense-Bus Shelter	800	1,600	50%	800
01-413-4420	Century/Tollgate Dv Fee Rebate	232,890	457,775	51%	224,885
01-413-5100	Postage	294	600	49%	306
01-413-5200	Liability Insurance	1,258	105	1198%	(1,153)
01-413-5201	Liability Deductibles	3,000	2,000	150%	(1,000)
01-413-5300	Telephone	626	1,300	48%	674
01-413-5301	Cellular Phones	235	540	44%	305
01-413-5410	Classified	80	150	53%	70
01-413-5700	Dues & Subscriptions	3,447	10,000	34%	6,553
01-413-5800	Travel/Meals	2,314	4,500	51%	2,186
01-413-5990	Council Discretionary	-	5,000	0%	5,000
01-413-5991	Public Education	5,100	10,000	51%	4,900
01-413-5997	Manager's Discretionary	95	5,000	2%	4,905
01-413-6000	Miscellaneous Expense	-	500	0%	500
01-413-6110	Office Supplies	277	685	40%	408
01-413-6111	Stationary/Forms	-	200	0%	200
01-413-6112	Photocopier Charges	577	850	68%	273
01-413-6114	Software/Internet	436	185	236%	(251)
01-413-7431	Computer Equipment	-	3,750	0%	3,750
TOTAL ADMINISTRATION		392,405	795,338	49%	399,183

CITY CLERK

01-411-1100	Salaries & Wages	28,085	61,200	46%	33,115
01-411-1101	Event Coordination	-	1,000	0%	1,000
01-411-2100	Insurance Benefits	2,801	10,100	28%	7,299
01-411-2200	Payroll Taxes	1,962	4,700	42%	2,738
01-411-2210	State Unemployment Tax	89	200	45%	111
01-411-2300	401k	1,036	2,450	42%	1,414
01-411-2310	457	-	-		-
01-411-2400	Training/Seminars	-	1,000	0%	1,000
01-411-2600	Workers Comp Insurance	990	2,096	47%	1,106
01-411-3002	Elections Expense	1,034	2,500	41%	1,466
01-411-3301	IT Services & Support	3,632	3,000	121%	(632)
01-411-3401	Records Preservation	-	2,000	0%	2,000
01-411-3402	Codification	-	5,000	0%	5,000
01-411-3403	Filing Fees	39	-		(39)
01-411-4100	Electricity	1,735	4,880	36%	3,145
01-411-4110	Sewer	64	175	37%	111
01-411-4303	Building Maintenance	509	1,200	42%	691
01-411-4304	Alarm monitoring	138	620	22%	482
01-411-5100	Postage	294	550	53%	256
01-411-5111	City Clerk/Sleuth Software	-	-		-
01-411-5200	Liability Insurance	53	105	50%	52
01-411-5300	Telephone	626	1,300	48%	674

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-411-5410	Classifieds	198	3,000	7%	2,802
01-411-5420	Legal Publications	118	-		(118)
01-411-5611	Credit Card Fees	36	200	18%	164
01-411-5700	Dues & Subscriptions	150	200	75%	50
01-411-6110	Office Supplies	315	685	46%	370
01-411-6111	Stationary & Forms	-	350	0%	350
01-411-6112	Photocopier Charges	577	850	68%	273
01-411-6113	Small Equipment	-	-		-
01-411-6114	Software/Internet	-	185	0%	185
01-411-7431	Computer Equipment	2,746	3,750	73%	1,004
TOTAL CITY CLERK		47,227	113,296	42%	65,065

FINANCE DEPARTMENT

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-415-1100	Salaries & Wages	45,989	108,250	42%	62,261
01-415-1101	Event Coordination	-	1,000	0%	1,000
01-415-2100	Insurance Benefits	6,367	13,900	46%	7,533
01-415-2200	Payroll Taxes	3,443	8,300	41%	4,857
01-415-2210	State Unemployment Tax	173	325	53%	152
01-415-2300	401k	1,444	2,800	52%	1,356
01-415-2310	457	-	-		-
01-415-2400	Training/Seminars	-	2,000	0%	2,000
01-415-2600	Workers Comp Insurance	1,752	3,707	47%	1,955
01-415-3220	Accounting/Auditors	12,500	22,000	57%	9,500
01-415-3300	Other Professional Services	-	-		-
01-415-3301	IT Services & Support	3,632	3,000	121%	(632)
01-415-3403	Filing Fees	-	-		-
01-415-4100	Electricity	1,735	4,674	37%	2,939
01-415-4110	Sewer	65	175	37%	110
01-415-4303	Building Maintenance	509	1,200	42%	691
01-415-4304	Alarm Monitoring	138	620	22%	482
01-415-5100	Postage	295	550	54%	255
01-415-5110	Computer Network Agreement	2,795	2,800	100%	5
01-415-5200	Liability Insurance	53	105	50%	52
01-415-5300	Telephone	813	1,300	63%	487
01-415-5410	Classified	-	150	0%	150
01-415-5600	Treasurer's Fees	255	850	30%	595
01-415-5610	Bank Charges	766	1,500		734
01-415-5611	Credit Card Processing Fees	22	300	7%	278
01-415-5700	Membership Fees	505	250	202%	(255)
01-415-5800	Travel	-	-		-
01-415-6110	Office Supplies	1,281	685	187%	(596)
01-415-6111	Stationary & Forms	436	500	87%	64

**CITY OF CENTRAL
GENERAL FUND
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01-415-6112	Photocopier Charges	577	850	68%	273
01-415-6114	Software/Internet	30	185	16%	155
01-415-7431	Computer Equipment	3,850	3,750	103%	(100)
	TOTAL FINANCE	89,425	185,726	48%	96,401

COMMUNITY DEVELOPMENT

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-419-1100	Salaries & Wages	38,500	72,160	53%	33,660
01-419-2100	Insurance Benefits	3,468	4,500	77%	1,032
01-419-2200	Payroll Taxes	2,911	5,520	53%	2,609
01-419-2210	State Unemployment Tax	110	230	48%	120
01-419-2300	401K	1,540	2,880	53%	1,340
01-419-2400	Training/Seminars	53	1,000	5%	947
01-419-2600	Workers Comp Insurance	2,956	2,471	120%	(485)
01-419-3301	IT Services & Support	5,182	6,750	77%	1,568
01-419-3401	Planning & Engineering	52,531	-		(52,531)
01-419-3402	Reimbursable Planning Expenses	2,779	5,000	56%	2,221
01-419-3403	Contract Services	-	100	0%	100
01-419-3404	Design Review Fees	-	5,000	0%	5,000
01-419-3405	Plan Review	1,138	-		(1,138)
01-419-4100	Electricity	1,736	4,674	37%	2,938
01-419-4110	Sewer	64	175	37%	111
01-419-4303	Building Repairs & Maintenance	509	1,200	42%	691
01-419-4304	Alarm Monitoring	138	620	22%	482
01-419-4305	Building Permits	2,099	10,500	20%	8,401
01-419-5100	Postage	294	550	53%	256
01-419-5200	Liability Insurance	53	105	50%	52
01-419-5300	Telephone	626	1,690	37%	1,064
01-419-5410	Classifieds	-	700	0%	700
01-419-5611	Credit Card Processing Fees	133	300	44%	167
01-419-5700	Dues & Subscriptions	749	1,500	50%	751
01-419-6110	Office Supplies	353	685	52%	332
01-419-6111	Stationary & Forms	53	250	21%	197
01-419-6112	Photocopier Charges	694	850	82%	156
01-419-6114	Software/Internet	-	185	0%	185
	TOTAL COMMUNITY DEVELOPMENT	118,669	129,595	92%	10,926

PUBLIC WORKS DEPARTMENT

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-431-1100	Salaries & Wages	172,690	452,128	38%	279,438
01-431-1300	Overtime	-	6,000	0%	6,000
01-431-2100	Insurance Benefits	55,264	120,774	46%	65,510
01-431-2200	Payroll Taxes	12,788	33,440	38%	20,652
01-431-2210	State Unemployment Tax	698	1,311	53%	613
01-431-2300	401k	5,863	17,485	34%	11,622
01-431-2310	457	-	-		-

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
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<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-431-2400	Training/Seminars	898	2,000	45%	1,102
01-431-2600	Workers Comp Insurance	9,297	14,016	66%	4,719
01-431-3301	Computer IT	4,964	6,750	74%	1,786
01-431-4100	Electricity	29,618	86,250	34%	56,632
01-431-4110	Sewer	1,881	5,500	34%	3,619
01-431-4210	Recycling	-	5,000	0%	5,000
01-431-4211	City Trash Service	2,294	8,000	29%	5,706
01-431-4212	Citizen Trash Service	24,290	42,500	57%	18,210
01-431-4303	Building Maintenance	3,340	6,500	51%	3,160
01-431-4304	Alarm Monitoring	138	620	22%	482
01-431-4330	Streets & Culverts	-	5,000	0%	5,000
01-431-4331	Paint Stripping	2,623	5,000	52%	2,377
01-431-4332	Equipment & Tools	9,837	2,500	393%	(7,337)
01-431-4345	Park Maintenance	153	750	20%	597
01-431-4420	Equipment Rentals	808	1,000	81%	192
01-431-5100	Postage	204	550	37%	346
01-431-5200	Liability Insurance	23,276	45,445	51%	22,169
01-431-5300	Telephone	1,262	1,900	66%	638
01-431-5301	Cell Phones	1,300	3,000	43%	1,700
01-431-5401	Summer Flowers	3,865	3,500	110%	(365)
01-431-5402	Holiday Decorations	13	5,000	0%	4,987
01-431-5403	Banners	429	-		(429)
01-431-5410	Classifieds	344	-		(344)
01-431-5700	Dues & Subscriptions	-	1,500	0%	1,500
01-431-5800	Travel	239	-		(239)
01-431-6110	Office Supplies	1,778	685	260%	(1,093)
01-431-6111	Stationary & Forms	53	100	53%	47
01-431-6112	Photocopier Charges	577	850	68%	273
01-431-6113	Uniforms	2,755	2,000	138%	(755)
01-431-6114	Software/Internet	523	450	116%	(73)
01-431-6116	Modular Trailer	698	3,639	19%	2,941
01-431-6501	Sand & Salt	7,754	16,000	48%	8,246
01-431-6502	Signs	690	500	138%	(190)
01-431-6503	Paving Materials	1,763	10,000	18%	8,237
01-431-6504	Mechanic Services/Prevent	-	20,000	0%	20,000
01-431-7302	CCP Striping	177	5,000	4%	4,823
01-431-7303	Sand for CCP	22,540	35,000	64%	12,460
01-431-7304	Fuel-CCP	-	35,650	0%	35,650
01-431-7305	Heavy Equipment Repair-CCP	4,826	20,000	24%	15,174
01-431-7306	Plow Blades-CCP	-	10,000	0%	10,000
01-431-7307	Electricity-CCP Lights	7,928	17,250	46%	9,322
01-431-7308	Guardrail Repair	6,416	5,000	128%	(1,416)
01-431-7309	CCP Signage	495	500	99%	5
01-431-7310	Roworth Light/Sound Barrier	-	-		-
01-431-7311	Sturgeon Lighting Contract	1,494	1,000	149%	(494)
01-431-7312	CCP Maintenance-Crack Filling	46,301	35,000	132%	(11,301)
01-431-7314	CCP Fencing	-	1,000	0%	1,000

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<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-431-7420	Lease Purchase Payments	122,617	98,000	125%	(24,617)
01-431-7424	Equipment Purchase	20,855	60,000	35%	39,145
01-431-7431	Computer Equipment	-	-		-
TOTAL PUBLIC WORKS		618,616	1,261,043	49%	642,427
01-430-4308	Heavy Equipment Repair	6,056	10,000	61%	3,944
01-430-4309	Light Equipment Repair	5,642	10,000	56%	4,358
01-430-4332	Equipment & Tools	90	-		(90)
01-430-4333	Small Item Supplies	65	900	7%	835
01-430-6110	Shuttle Services	220,486	415,000	53%	194,514
01-430-6260	Fuel	33,013	37,000	89%	3,987
01-430-7420	Lease Purchase Payments	-	-		-
TOTAL FLEET MAINTENANCE		265,352	472,900	56%	207,548
TOTAL PUBLIC WORKS & FLEET		883,968	1,733,943	51%	849,975

POLICE DEPARTMENT

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-421-1100	Salaries & Wages	130,055	280,100	46%	150,045
01-421-1300	Overtime	1,208	1,000	121%	(208)
01-421-2100	Insurance Benefits	19,925	38,850	51%	18,925
01-421-2200	Payroll Taxes	1,914	4,380	44%	2,466
01-421-2210	State Unemployment Tax	457	840	54%	383
01-421-2310	457	3,035	6,950	44%	3,915
01-421-2320	FPPA	9,728	22,000	44%	12,272
01-421-2400	Training/Seminars	45	2,500	2%	2,455
01-421-2401	Conferences	175	4,000	4%	3,825
01-421-2600	Workers Comp Insurance	4,532	9,593	47%	5,061
01-421-2901	Uniform Cleaning	658	-		(658)
01-421-3300	Equipment Repair	-	1,000	0%	1,000
01-421-3301	IT Services & Support	3,873	3,000	129%	(873)
01-421-4100	Electricity	1,736	6,170	28%	4,434
01-421-4110	Sewer	64	175	37%	111
01-421-4303	Building Maintenance	509	1,200	42%	691
01-421-4304	Alarm Monitoring	138	620	22%	482
01-421-4309	Vehicle Maintenance	4,744	8,000	59%	3,256
01-421-5100	Postage	300	550	55%	250
01-421-5111	Hrdwre/Sftwre Support Services	-	4,500	0%	4,500
01-421-5200	Liability Insurance	1,079	157	687%	(922)
01-421-5300	Telephone	2,293	4,260	54%	1,967
01-421-5301	Cell Phones	1,203	3,000	40%	1,797
01-421-5410	Classified	175	150	117%	(25)
01-421-5411	Recruitment	150	500	30%	350
01-421-5500	Printing	-	3,500	0%	3,500

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-421-5700	Dues & Subscriptions	340	1,500	23%	1,160
01-421-5900	Victim Services	1,000	3,000	33%	2,000
01-421-5901	Blood Alcohol Testing	70	500	14%	430
01-421-6000	Miscellaneous	373	1,000	37%	627
01-421-6107	Radio Equipment	-	500	0%	500
01-421-6109	Equipment & Supplies	529	3,000	18%	2,471
01-421-6110	Office Supplies	1,079	685	158%	(394)
01-421-6111	Stationary/Forms	-	350	0%	350
01-421-6112	Photocopier Charges	577	850	68%	273
01-421-6113	Uniforms	2,339	5,000	47%	2,661
01-421-6114	Software/Internet	43	250	17%	207
01-421-6121	Firearms	10,660	8,000	133%	(2,660)
01-421-6122	Animal Control	-	250	0%	250
01-421-6123	Protective Equipment	-	1,500	0%	1,500
01-421-6260	Fuel	-	11,800	0%	11,800
01-421-6400	Books & Manuals	59	1,200	5%	1,141
01-421-7410	VMS Board	-	50,000	0%	50,000
01-421-7420	Vehicle Lease Payments	-	40,000	0%	40,000
01-421-7431	Computer Equipment	-	3,750	0%	3,750
01-421-7432	Emergency Equipment	3,502	50,000	7%	46,498
01-421-8001	Prisoner Expense	-	500	0%	500
	TOTAL POLICE	208,567	590,630	35%	382,063

FIRE DEPARTMENT

01-422-1100	Salaries & Wages	28,523	67,420	42%	38,897
01-422-1110	Firefighters Per Call	3,238	8,000	40%	4,762
01-422-2100	Insurance Benefits	476	1,100	43%	624
01-422-2200	Payroll Taxes	430	1,000	43%	570
01-422-2210	State Unemployment Tax	85	210	40%	125
01-422-2310	457	1,141	2,700	42%	1,559
01-422-2320	FPPA	2,282	5,400	42%	3,118
01-422-2321	FPPA Pension Contribbtn-Volunte	-	7,600	0%	7,600
01-422-2400	Training	1,038	5,000	21%	3,962
01-422-2600	Workers Comp Insurance	1,091	2,309	47%	1,218
01-422-3301	IT Maintenance & Support	241	3,000	8%	2,759
01-422-4100	Electricity	1,590	4,048	39%	2,458
01-422-4110	Sewer	-	175	0%	175
01-422-4302	Small Equipment Maintenance	636	2,500	25%	1,864
01-422-4303	Building Maintenance	57	1,000	6%	943
01-422-4309	Fire Truck Maintenance	6,206	12,000	52%	5,794
01-422-5100	Postage	-	550	0%	550
01-422-5200	Liability Insurance	79	157	50%	78
01-422-5201	Liability Deductibles	-	-	-	-
01-422-5300	Telephone	1,471	2,595	57%	1,124
01-422-5301	Cell Phones	196	400	49%	204
01-422-5410	Classifieds	-	250	0%	250

**CITY OF CENTRAL
GENERAL FUND
REVENUES EXPENDITURE REPORT
AS of May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
01-422-5700	Dues & Subscriptions	499	2,500	20%	2,001
01-422-6107	Supplies	2,289	3,000	76%	711
01-422-6109	Fire Station Equipment	-	2,000	0%	2,000
01-422-6110	Office Supplies	-	685	0%	685
01-422-6112	Photocopier Charges	-	850	0%	850
01-422-6113	Uniforms	1,222	2,500	49%	1,278
01-422-6114	Software/Internet	273	1,000	27%	727
01-422-6123	Safety Gear	734	10,000	7%	9,266
01-422-6125	Medical Equipment	228	5,000	5%	4,772
01-422-6126	Fire Supplies for Trucks	-	6,000	0%	6,000
01-422-6127	Hoses & Nozzles	1,185	5,000	24%	3,815
01-422-6128	Firefighter Health/Safety	-	1,000	0%	1,000
01-422-6129	Fire Extinguishers	1,794	2,500	72%	706
01-422-6130	Hiring Physicals	-	500	0%	500
01-422-6260	Fuel	600	6,000	10%	5,400
01-422-6400	Radio Equipment	188	1,500	13%	1,312
01-422-7432	Radios & Radio Equipment	-	97,000	0%	97,000
01-420-5001	Dispatch Services-Contract	7,500	30,000	25%	22,500
01-420-5002	Ambulance Services-Contract	76,500	155,000	49%	78,500
	TOTAL FIRE	141,792	459,449	31%	317,657

MARKETING DEPARTMENT

01-450-2600	Workers Comp Insurance	-	-	-	-
01-450-3301	IT Services & Support	3,391	3,000	113%	(391)
01-450-3330	Other Professional Services	-	-	-	-
01-450-3410	Web Site Maintenance	-	1,200	0%	1,200
01-450-3413	Marketing Expenses	-	1,500	0%	1,500
01-450-3415	Stage Maintenance	3,238	1,500	216%	(1,738)
01-450-4100	Electricity	-	690	0%	690
01-450-4110	Sewer	-	250	0%	250
01-450-4303	Building Maintenance	-	250	0%	250
01-450-4304	Alarm Monitoring	-	620	0%	620
01-450-5100	Postage	528	550	96%	22
01-450-5200	Liability Insurance	53	105	50%	52
01-450-5300	Telephone	320	1,235	26%	915
01-450-5400	Advertising	257	-	-	(257)
01-450-5411	Madam Lou Bunch Event	-	-	-	-
01-450-5413	Freedom Fest Event	-	-	-	-
01-450-5415	Misc. Events	-	-	-	-
01-450-5416	Business Events/Marketing	72,415	40,000	181%	(32,415)
01-450-6110	Office Supplies	84	686	12%	602
01-450-6112	Photocopier Charges	577	850	68%	273
01-450-6114	Software/Internet	-	185	0%	185
	TOTAL MARKETING	80,863	52,621	154%	(28,242)

CITY OF CENTRAL
GENERAL FUND
 REVENUES EXPENDITURE REPORT
 AS of May 31, 2012

GENERAL FUND TOTALS

	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	Excess/ (Deficiency)
TOTAL GENERAL FUND EXPENDITURES	1,985,332	4,113,648	48%	2,123,662
TOTAL GENERAL FUND REVENUES	1,712,383	4,373,326	39%	(2,660,943)
EXCESS (DEFICIENCY) OF REV/EXP	(272,949)	259,678		(537,281)

CITY OF CENTRAL
HISTORIC PRESERVATION FUND
REVENUE EXPENDITURE REPORT
AS OF May 31, 2012

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
02-322-1000	Grant Building Permit	125	1,500		(1,375)
02-334-1000	State Grant/Revenues	-	400,000	0%	(400,000)
02-347-8001	Visitors Center Revenue	1,711	5,000	34%	(3,289)
02-361-0000	Interest on Investment	136	250	54%	(114)
02-390-1000	Misc Income	-	-		-
	TOTAL REVENUES	1,972	406,750	0%	(403,403)
02-451-4100	Electricity-VC	2,145	3,740	57%	1,595
02-451-4110	Sewer and Sanitation	97	200	49%	103
02-451-4303	Building Maintenance-VC	270	500	54%	230
02-451-5100	Postage-VC	-	550	0%	550
02-451-5200	Liability Insurance-VC	53	105	50%	52
02-451-5300	Telephone-VC	994	1,790	56%	796
02-451-5405	Classifieds-VC	-	300	0%	300
02-451-5611	Credit Card Procession	160	1,000	16%	840
02-451-6110	Office Supplies-VC	151	685	22%	534
02-451-6113	Inventory-VC	1,815	5,000	36%	3,185
02-451-6114	Software-VC	22	185	12%	163
02-451-6115	State Sales Tax-VC	26	250	10%	224
02-456-1100	Salaries & Wages	12,450	57,500	22%	45,050
02-456-2100	Health/Dental/Vision/D&YD	1,292	1,500	86%	208
02-456-2200	FICA/MdCare	979	4,500	22%	3,521
02-456-2210	State Unemployment Tax	84	200	42%	116
02-456-2300	401k	-	1,000	0%	1,000
02-456-2600	Worker's Compensation	930	1,970	47%	1,040
02-456-3000	Contract Services	-	1,500	0%	1,500
02-456-3201	Training/ Seminars	-	3,000	0%	3,000
02-456-3211	Stipends	1,050	4,200	25%	3,150
02-456-3330	Attorney-Legal	-	3,000	0%	3,000
02-456-4303	Fire Department Repair	326	-	0%	(326)
02-456-4304	City Property-Rehabilitation	302,339	65,000	465%	(237,339)
02-456-4335	Cemetary Maintenance	-	15,000	0%	15,000
02-456-5411	Historic Tourism	16,602	10,000	166%	(6,602)
02-456-5412	CC Opera/Events	-	25,000	0%	25,000
02-456-5413	NonpProfits Events/Marketing	-	15,000	0%	15,000
02-456-5414	Business Events/Marketing	11,500	10,000	115%	(1,500)
02-456-5700	Dues & Subscriptions	-	100	0%	100
02-456-6110	Office Supplies	-	500	0%	500
02-456-6112	Photocopier Charges	-	850	0%	850
02-456-7201	Historic Property Acquisition	326	65,000	1%	64,674
02-456-7203	Main St Streetscape	560,411	-		(560,411)
02-456-8805	Rehab Grants	3,968	100,000	4%	96,032
02-456-8807	Sidewalks	4,021	-		(4,021)
02-456-8808	ROW/Improvement Projects	-	7,500	0%	7,500
	TOTAL HP EXPENDITURES	922,011	406,625	227%	(515,386)
	TOTAL REVENUES	1,972	406,750	0%	(403,403)
	EXCESS (DEFICIENCY) OF REV/EXP	(920,039)	125		(918,789)

**CITY OF CENTRAL
DEBT SERVICE FUND
REVENUE EXPENDITURE REPORT
AS OF May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
40-311-0000	Specific Ownership Tax	5,381	15,600	34%	(10,219)
40-311-0001	Delinquent Tax/Int.	1,657	400	414%	1,257
40-311-0002	Miscellaneous Tax	-	-		-
40-311-1000	Property Tax Revenues	171,289	313,500	55%	(142,211)
40-318-3001	Device Fees-Add'l Tax #1	136,123	301,897	45%	(165,774)
40-318-3002	Tollgate Device Fees	29,203	85,290	34%	(56,087)
40-361-0000	Interest On Deposits	163	100		63
40-393-1001	Other Financing Source-Escrow	-	-		-
	TOTAL REVENUES	343,816	716,787	48%	(372,971)
EXPENDITURES					
40-471-8201	Short Term Loan Prin/Int	98,894	3,350		(95,544)
40-471-8205	GO Water Bonds 1981 princ	-	-		-
40-471-8208	GO Water Bonds Series 2010 Pri	-	420,000	0%	420,000
40-471-8209	Excise Tax Bonds Series 2010 P	-	215,000	0%	215,000
40-472-8209	GO Water Bonds, Series 2010 In	17,781	35,562	50%	17,781
40-472-8210	Excise Tax Bonds, Series 2010	7,981	15,963	50%	7,982
40-475-3100	Trustee Fess & Services	300	4,000	8%	3,700
40-475-3101	Treasurer's Fees	3,459	7,000	49%	3,541
	TOTAL EXPENDITURES	128,415	700,875	157%	572,460
EXCESS (DEFICIENCY) OF REV/EXP		215,401	15,912		199,489

**CITY OF CENTRAL
WATER FUND
REVENUE EXPENDITURE REPORT
AS OF May 31, 2012**

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
50-340-0001	Hydrant Revenue	3,720	9,600	39%	(5,880)
50-340-0002	Water Sales Residential	127,957	297,600	43%	(169,643)
50-340-0003	Water Sales Commercial	41,131	133,200	31%	(92,069)
50-340-0005	Turn On/Off Fees	-	200	0%	(200)
50-340-0006	Tap Fees	-	-		-
50-340-0007	Late Fees	-	1,000	0%	(1,000)
50-361-1000	Interest On Water Bills	-	100	0%	(100)
50-390-0000	Miscellaneous Revenue	-	500	0%	(500)
TOTAL WATER REVENUE		172,808	442,200	39%	(269,392)

50-433-1100	Salaries & Wages	49,275	103,600	48%	54,325
50-433-1300	Overtime	748	2,000	37%	1,252
50-433-2100	Insurance Benefits	4,794	11,600	41%	6,806
50-433-2200	Payroll Taxes	3,760	7,925	47%	4,165
50-433-2210	State Unemployment Tax	114	300	38%	186
50-433-2300	401k	1,759	4,150	42%	2,391
50-433-2400	Training/Seminars	1,600	3,000	53%	1,400
50-433-2600	Workers Comp Insurance	3,465	3,966	87%	501
50-433-3300	Ramey-Professional Services	-	-		-
50-433-3301	IT Maintenance	4,038	3,000	135%	(1,038)
50-433-3330	General Legal (centci.001)	14,953	7,500	199%	(7,453)
50-433-3331	Temp Supply Plan (centci.006)	529	-		(529)
50-433-3334	Forest Service ROW(centci.003)	-	2,000	0%	2,000
50-433-3335	Augmentation Case (centci.007)	-	-		-
50-433-3342	Agr. Ditch (centci.037)	23	-		(23)
50-433-3353	Water Rights Acq. (centci.005)	-	-		-
50-433-3356	Frei Water Contract (.068)	-	7,000	0%	7,000
50-433-3391	General Water Eng.	7,443	8,000	93%	557
50-433-3392	Gilpin School (centci.029)	-	2,500	0%	2,500
50-433-3395	Wetlands Mitigation (centi.052)	343	-		(343)
50-433-3398	New Water Leases	-	4,000	0%	4,000
50-433-3399	Distribution Assessment	22,086	70,000	32%	47,914
50-433-3400	Aquapura Surface Water Rights	-	-		-
50-433-3401	Raw Water Assessment	-	15,000	0%	15,000
50-433-3432	Water Accounting/Admin	7,560	30,500	25%	22,940
50-433-3433	Comp Modeling/Engineering	-	2,000	0%	2,000
50-433-3434	Forest Service Study	-	-		-
50-433-3435	Opposition to Water Rights	1,840	18,000	10%	16,160
50-433-3495	Water Rights/Engineering	-	8,000	0%	8,000
50-433-3496	BH Trial Prep	-	30,000	0%	30,000
50-433-3497	BH Water Project/Fed Reserve	-	10,000	0%	10,000
50-433-4100	Electricity	13,683	43,900	31%	30,217
50-433-4250	Chemical Testing	5,109	6,300	81%	1,191
50-433-4301	Repairs & maintenance	-	-		-
50-433-4303	Building Maintenance	-	6,300	0%	6,300
50-433-4309	Vehicle Maintenance	886	5,000	18%	4,114

CITY OF CENTRAL
WATER FUND
REVENUE EXPENDITURE REPORT
AS OF May 31, 2012

<u>Account</u>	<u>Description</u>	<u>YTD</u>	<u>BUDGET</u>	<u>YTD %</u>	<u>Excess/ (Deficiency)</u>
50-433-4350	Spring Line-Collection Line Re	-	-		-
50-433-4351	Pump Station Maintenance	1,693	15,000	11%	13,307
50-433-4352	Tools & Supplies	112	2,000	6%	1,888
50-433-4353	Plant Repairs	10,493	15,000	70%	4,507
50-433-4354	Distribution	12,653	30,000	42%	17,347
50-433-4355	Reservoir Maintenance	-	3,000	0%	3,000
50-433-4356	Meter Maintenance	1,852	3,000	62%	1,148
50-433-4357	Fire Hydrant Repair/Maintenance	795	1,000	80%	205
50-433-4401	Ditch Fees	4,435	22,500	20%	18,065
50-433-4501	CO Public Water System	-	300	0%	300
50-433-5100	Postage	24	500	5%	476
50-433-5200	Liability Insurance	5,813	11,489	51%	5,676
50-433-5300	Telephone	174	2,800	6%	2,626
50-433-5301	Cell Phones	381	1,000	38%	619
50-433-5410	Classifieds	-	550	0%	550
50-433-5611	Credit Card Processing Fees	309	750	41%	441
50-433-5700	Dues & Subscriptions	97	2,000	5%	1,903
50-433-5701	Licensing & Maintenance	-	4,500	0%	4,500
50-433-5800	Travel	-	-		-
50-433-6110	Office Supplies	518	685	76%	167
50-433-6111	Stationary/Forms	53	100	53%	47
50-433-6112	Photocopier Charges	577	850	68%	273
50-433-6113	Small Equipment	-	3,000	0%	3,000
50-433-6114	Software/Internet	1,511	600	252%	(911)
50-433-6115	Uniforms	203	750	27%	547
50-433-6260	Fuel	-	1,000	0%	1,000
50-433-6270	Chemicals	1,768	10,000	18%	8,232
50-433-7001	Depreciation Expense	-	-		-
50-433-7420	Bulk Water Fill Station	-	1,200	0%	1,200
50-433-7421	Plant Capital Repairs/Imprvmt	30,275	60,000	50%	29,725
50-433-7422	Residential Meters/Installatio	22,500	30,000	75%	7,500
50-433-7423	Commercial Meters/Installation	281	-		(281)
50-433-7424	Backwash/Sanitary Lines	-	30,000	0%	30,000
50-433-7425	Radio Read Software & Device	-	-		-
50-433-7431	Computers & Software	3,065	13,750	22%	10,685
50-433-8900	Bad Debts	22	100	22%	78
TOTAL WATER		243,612	682,965	36%	439,353
TOTAL REVENUES		172,808	442,200	39%	(269,392)
EXCESS (DEFICIENCY) OF REV/EXP		(70,804)	(240,765)		

**CITY OF CENTRAL
CITY COUNCIL MEETING
June 5, 2012**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 6:06 p.m., in City Hall on June 5, 2012.

ROLL CALL

Present: Mayor Engels
Alderman Spain
Alderman Voorhies
Alderman Lee
Alderman Giancola

Absent: None

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

EXECUTIVE SESSION

At 6:09 p.m., Alderman Voorhies moved to convene the Executive Session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice on waters matters with Attorney Steve Williamson and Consultant Dan Ault. Alderman Spain seconded and, without discussion, the motion carried unanimously.

At 7:08 p.m., Mayor Engels 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 Spain moved to approve the consent agenda containing the regular bill lists May 3, 10, 17, 24, 31; the April Monthly Report; and the City Council minutes of May 1, 2012. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

LIQUOR LICENSE AUTHORITY

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

Alderman Voorhies moved to approve the renewal of Debra L Boring dba Annie's Liquors for a Retail Liquor Store License at 135 Nevada Street effective June 11, 2012. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

Alderman Voorhies moved to approve the renewal of Dostal Alley Inc dba Dostal Alley Saloon & Gambling Emporium at 1 Dostal Alley effective June 24, 2012. Alderman Spain seconded. In discussion, Police Chief Krelle explained that they have had some reporting violations and that the owner has done remedial training to correct this issue. When Mayor Engels called the question, the motion carried unanimously.

Alderman Voorhies moved to approve the Special Event Liquor Permit for Central City Opera (Yellow Rose Ball) at 100 Block of Eureka St on June 30, 2012 from 4:45-6:00pm. Alderman Giancola seconded. In discussion, Alderman Giancola questioned the rerouting of traffic during this event. Mayor Engels reminded the Council that the approval of liquor is separate from the staff approval which will handle the street closure. Operations Director Kisselman offered to assist with a detour map and signs. When Mayor Engels called the question, the motion carried unanimously.

Alderman Voorhies moved to approve the Special Event Liquor Permit for Central City Government (Opera Picnic) at Russell Park on June 25, 2012 from 12:00-8:00pm. Alderman Spain seconded and, without discussion, the motion carried unanimously.

Alderman Voorhies moved to approve the Special Event Liquor Permit for Gilpin County Democratic Party (Fundraiser) at 117 Eureka Street on June 24, 2012 from 4:00-7:00pm. Alderman Spain seconded and, without discussion, the motion carried unanimously.

Alderman Voorhies moved to approve the Special Event Liquor Permit for Central City Local Events (Lou Bunch Day) on Main Street on June 16, 2012 from 8:00am-8:00pm. Alderman Spain seconded and, without discussion, the motion carried unanimously.

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

NEW BUSINESS

Appointment of Municipal Judge

Mayor Engels explained that Council has spent several months evaluating, observing, and interviewing the candidates for Municipal Judge. Mayor Engels introduced Judge Gloss and welcomed him. Mayor Engels moved to appoint Judge David Gloss as the Central City Municipal Judge. Alderman Giancola seconded and, without discussion, the motion carried unanimously. Judge Gloss thanked Council and stated that he plans to do the best job possible and is looking forward to working with everyone in Central City.

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 explained that the Police Department has experienced recent situations in which they were not timely informed of disturbances in liquor licensed establishments. In addition, previously the obligation to report only attached when there was disorderly conduct at the establishment, which is a defined offense. We have identified a need to tighten the loopholes and broaden the types of activity which trigger the reporting requirement and explaining that the full premise of the property includes the parking lot as well.

Attorney Michow explained that this ordinance amends Section 10-25 of the Municipal Code which previously made it unlawful for any manager or employee of a liquor licensed establishment to fail to immediately report to the Police any disorderly conduct on the premises. Ordinance 12-05 expands that responsibility, requiring:

(1) that licensees conduct their establishments in a decent, orderly and respectable manner and not permit within or upon the licensed premises the loitering of habitual drunkards or visibly intoxicated persons, lewd or indecent acts, obscene profanity, rowdiness, undue noise or other unlawful activity offensive to the residents or occupants of the neighborhood in which the establishment is located;

(2) immediate reporting to the Police Department of any disorderly or unlawful activity under federal, state or local law occurring on or within the licensed premises or the property surrounding such licensed premises which is under the ownership or control of the licensee; and

(3) the posting of a sign on the premises informing the public of the establishment's obligation to immediately report such activity.

Alderman Spain 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 and set the Public Hearing for June 27, 2012 at 7:00 pm. Alderman Giancola 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 10 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.*

Attorney Michow explained the purpose of the Ordinance is to create an entertainment district in which common consumption areas are allowed to be designated for customers to carry and consume alcohol beverages. A secondary purpose of the Ordinance is to allow administrative approvals of certain liquor related applications, as previously authorized by City Council.

In regards to the administrative approvals, the following liquor-related applications may be decided by the City Clerk, subject to appeal or referral to the Local Licensing Authority:

1. Transfer of ownership of existing license;
2. Change of corporate structure of existing license;

3. Renewal of existing license;
4. Manager registration for existing license;
5. Special events permit;
6. Change of corporate or trade name permit for existing license;
7. Bed and breakfast permits;
8. Recertification of Promotional Associations; and
9. All other City license-related applications not requiring a public hearing by the Colorado Liquor Code.

The City Clerk may refer to the Local Licensing Authority for a decision regarding any administrative application when, as determined in the discretion of the City Clerk, the public interest would be best served by the determination of the matter by the Local Licensing Authority. Administrative applications denied by the City Clerk may be appealed to the Local Licensing Authority. Appeals must be submitted in writing to the City Clerk within ten (10) days of denial, and may request a hearing. Appeals to the Local Licensing Authority will be decided de novo. Also, as authorized pursuant to Section 12-48-107(5) of the Colorado Revised Statutes, approval by the City of a special event permit application shall not require the state's approval or disapproval. Within ten (10) days of issuance of a special event permit, the City Clerk shall notify the state liquor enforcement division of the name of the organization to which a special event permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

For common consumption regulations, the designation of common consumption areas may increase police patrols and enforcement. Notably, however, a promotional association is required to provide security and to provide liquor server training to all of the security personnel. It is anticipated that a promotional association will bear the cost of enforcement through the provision of security plans.

State legislation passed in 2011, known as Senate Bill 11-273, authorizes local governments in Colorado to opt-in to the creation of "common consumption areas" – which would operate much like an ongoing special event. In order to opt-in, City Council is required to designate an "entertainment district" by ordinance or resolution. An entertainment district may not exceed 100 acres and must contain ". . . at least twenty thousand square feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant when the [entertainment] district is created." C.R.S. § 12-47-103(7.5) (as added by S.B. 11-273).

The proposed Ordinance designates the entirety of the Historic Downtown Gaming and Gregory Gulch Gaming districts as the Central City Entertainment District. A common consumption area may only be located within the designated entertainment district and must be operated by a certified "promotional association," which is defined in the bill as an association incorporated in Colorado that "organizes and promotes entertainment activities within a common consumption area, and is organized or authorized by two or more people who own or lease property within an entertainment district." C.R.S. § 12-47-103(24.5) (as added by S.B. 11-273).

In order to operate a common consumption area, property owners (or lessees) or property within the designated entertainment district will need to create a promotional association and seek certification of such association through the City Council, sitting as the Local Licensing Authority, to operate within the common consumption area.

This ordinance also sets forth the criteria for establishing a common consumption area, qualifications for certification of a promotional association, application procedures, criteria of approval, operational requirements and enforcement mechanisms.

Alderman Giancola asked if these regulations will be acceptable to the Division of Gaming. Joe Behm, BID President, explained that there are precautions in place to keep from violating any gaming rules such as: they will contract with a private security company; use wrist bands and looged cups: and have casino servers that are trained not to over serve.

Alderman Giancola moved to adopt Ordinance No. 12-06: An ordinance of the City Council of the City of Central, Colorado, amending Article VII of Chapter 10 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 and set the Public Hearing for June 27, 2012 at 7:00 pm. Alderman Voorhies 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 Joe Behm, BID President, has approached the City about allowing coordinated music to be permitted along Main Street. Currently the Municipal Code is written to prevent this from occurring. The proposed ordinance provides changes to allow the sound amplification to occur in the Historic Downtown Gaming and Gregory Gulch Gaming zones and states the process and procedure to allow the use.

Staff has proposed allowing the music to occur from 10 a.m. to 10 p.m. every day of the week with a maximum of two permits in each zone district with the noise level at what is currently stated in the code.

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 and set the Public Hearing for June 27, 2012 at 7:00 pm. with an amendment to one permit per year per zone district. Alderman Spain seconded and, without discussion, the motion carried unanimously.

Purchase of Dodge Ram 5500 Regular Cab Chassis in the amount of \$42, 297

Operations Director Kisselman explained that in continuation of the Public Works Fleet assessment, it has been determined that it is in the City's best interest to sell at public auction two (2) of our vehicles and replace them with one new one. The two (2) vehicles in question are both 2006 models and are on the brink of major repairs. We have been fairing very well at the public auction and believe we will draw favorable prices for these two vehicles. Since the City has already expended all budgeted funding for vehicle purchases, the Public Works Department will be making approximately \$30,000 in additional revenues from the auction of two (2) used Public Works Vehicles and recyclable materials collected from the City shops. It is proposed that these additional revenues be used toward the purchase of the proposed vehicle. The balance of the truck's cost will come from line item #01-431-6504 (Mechanic/Preventative Maintenance) which has an unused budget allocation of \$20,000. Based on the above, the Public Works Department has approximately \$50,000 towards the purchase of this truck.

Alderman Spain moved to approve the purchase of a Dodge Ram Regular Cab Chassis in the amount of \$42, 297. Alderman Lee seconded and, without discussion, the motion carried unanimously.

Council Stipend Policy

Alderman Lee stated that with the CML conference coming up, she wanted to understand the policy of what expenses are covered. Manager Lanning explained that staff expenses are covered in the employee handbook but that we do not have a policy for elected officials. Alderman Voorhies stated that she had attended the CML conference last year and did not ask for reimbursement of any expenses.

Alderman Lee moved to extend the same reimbursement policy to elected officials as staff currently receives in the employee handbook. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

STAFF REPORTS

Manager Lanning reported the following:

Parkway Fence – staff has provided a landscaping proposal that PW will support with much of the work in house and will also put up slats along the bottom of the guardrail to block light.

Alderman Spain moved to approve the landscaping proposal. Alderman Giancola seconded and, without discussion, the motion carried unanimously.

Resignation on HPC and PC – Chris Rogers has resigned his seat on both commissions.

Higher Ground Music Festival – this is expected to have 2500 attendees August 24, 25, 26 up at the Greek Lots with music as late as midnight. Staff will work closely with the organizer and we expect this event be the kind of event that would be welcomed back.

Sinkhole – state agencies are making good progress and we have traffic 2 way again with concrete scheduled for next week and about 2 weeks to completion. Black Hawk and the County have also been onsite to offer assistance.

COUNCIL COMMENTS

Alderman Voorhies thanked staff for removing the speed bumps and noted how good downtown looks as well as the new sidewalk on Lawrence. She expressed concern for the condition of the Knights of Pythias building and asked about enforcement and cleanup of the Century parking garage. Attorney Michow stated she would look into this matter.

Alderman Lee thanked Kent, the Mayor and the crew for all their hard work for the City cleanup day. She also extended a welcome to the new business downtown, Harley Hippies Coffee Café. She also asked staff about the status of the east entrance sign. CDD Thompson stated it will be coming forward soon.

Mayor Engels stated that he has had many compliments from residents about Public Works efforts.

Alderman Giancola gave kudos to Public Works for mobilizing on the sinkhole.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Joe Behm, BID President, offered a suggestion that Council propose a salary increase for themselves since they work really hard and there is value for that.

Hearing no further business, Mayor Engels adjourned the meeting at 8:42 p.m.
The next meeting will be a special Council meeting scheduled for June 27, 2012 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk





AGENDA ITEM # 8

CITY COUNCIL COMMUNICATION FORM

FROM: Reba Bechtel, City Clerk

DATE: June 27, 2012

ITEM: **Application for Special Events:**
Flobots.org for the Higher Ground Music Festival at the Greek Lots on August 24, 25, 26

NEXT STEP: Council Motion

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Staff is requesting Council approval for the Special Event Permit as listed above.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve applications as stated above.
- III. **FISCAL IMPACTS:** N/A
- IV. **BACKGROUND INFORMATION:** This is a new event to Central City. The liquor premise is shown on the map with sales/serving to cease an hour before the music ends.
- V. **LEGAL ISSUES:** None
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None
- VII. **SUMMARY AND ALTERNATIVES:**
Council may take one of the following actions:
1. Move to approve the application for a Special Events Permit.
2. Move to deny the application for a Special Events Permit.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

flobots.org

is a **Nonprofit Corporation** formed or registered on 12/07/2006 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20061501085.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/13/2012 that have been posted, and by documents delivered to this office electronically through 06/14/2012 @ 13:48:05.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 06/14/2012 @ 13:48:05 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8270158.



A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110	<input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170	<input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE <i>Flobots.org</i>	State Sales Tax Number (Required) <i>42-1724770</i>
--	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>2705 Larimer St. Denver, CO 80205</i>	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>914B Nevada St Central City, CO 80427</i>
---	---

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <i>Jami Duffy</i>	<i>11/04/81</i>	<i>1545 E. 31st Ave #3 Denver, CO 80205</i>	<i>3177-1027</i>
5. EVENT MANAGER <i>Chris Murphy</i>	<i>12/31/65</i>	<i>1008 Corona St #408 Denver, CO 80218</i>	<i>120-429-8717</i>
6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES HOW MANY DAYS? <i>2</i>		7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM?	

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date <i>August 24, 2012</i>	Date <i>August 25, 2012</i>	Date <i>August 26, 2012</i>	Date	Date
Hours From <i>3pm</i> .m.	Hours From <i>11am</i> .m.	Hours From <i>11am</i> .m.	Hours From	Hours From
To <i>11pm</i> .m.	To <i>11pm</i> .m.	To <i>8pm</i> .m.	To	To

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE 	TITLE <i>Executive Director</i>	DATE <i>10/14/12</i>
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

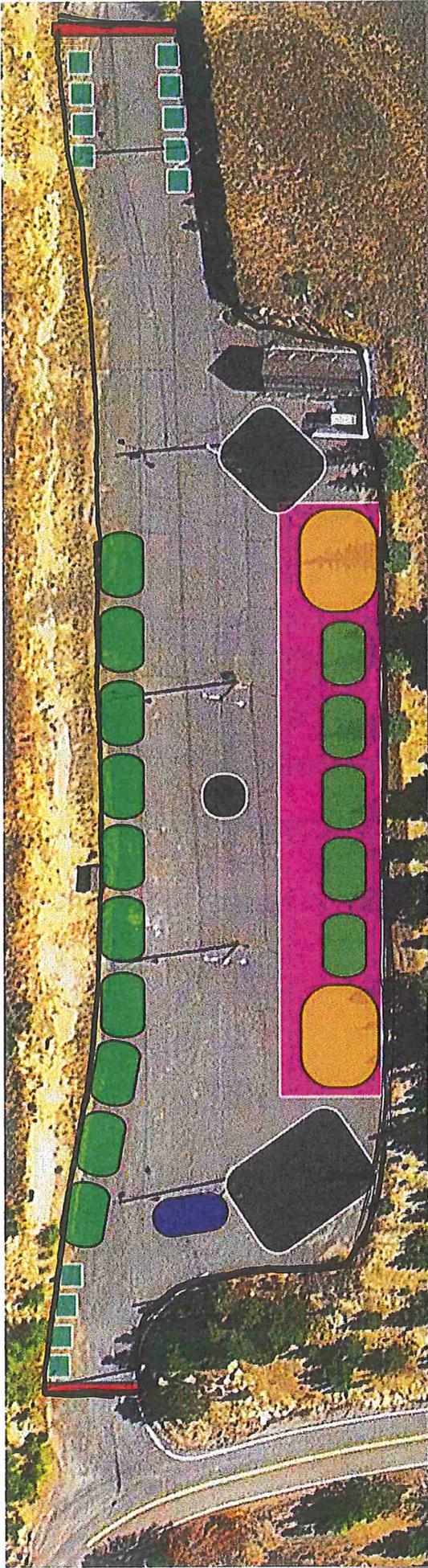
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
	<input type="checkbox"/> COUNTY	
SIGNATURE	TITLE	DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		<i>-750 (999)</i>	<i>\$</i>



Venue Map

higher ground music festival



-  VIP Tents
-  Stages/Sound
-  Artist Merch
-  Restrooms
Handwash Stations
-  Entrances
-  Vendors

Sales

Alcohol area: 205' long by 35' wide

Liquor Premise

Commercial Lease – Music Buzz Media LLC

This Lease is entered into by and between TJ LLC, an individual with an address of 608 Garrison Street, Lakewood, CO 80215, U.S.A. ("Landlord"), and Music Buzz Media LLC, an individual with an address of P.O. box 2739, Littleton, CO 80161, U.S.A. ("Tenant").

In consideration of the mutual covenants contained herein and other valuable consideration received, and with the intent to be legally bound, Landlord and Tenant agree as follows:

1. PREMISES. Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the following premises:

2 lots and acreage above lot in Central City, Colorado. 1/2 mile off Central City parkway towards Nevadaville.

(the "Premises").

This Lease also includes all fixtures, equipment, and personal property in the Premises. Tenant shall also have the right to use the common areas which may be provided by Landlord for the common use of all tenants. *gpc*

2. TERM. The term of this Lease will commence on Aug. 23rd, 2012 ~~and will continue from month to month on the same terms and conditions herein.~~ *to August 28th 2012* Either party may terminate this Lease upon 30 ~~days~~ *xcl* prior written notice to the other party. This Lease may also terminate sooner according to the provisions hereof.
3. RENT. Tenant agrees to pay to Landlord, without any deduction or set off, rental payments in the amount of \$6,000.00 ~~per week~~, payable in advance on the 22nd during the term of this Lease. Rent shall be paid to Landlord at *TR*

608 Garrison Street

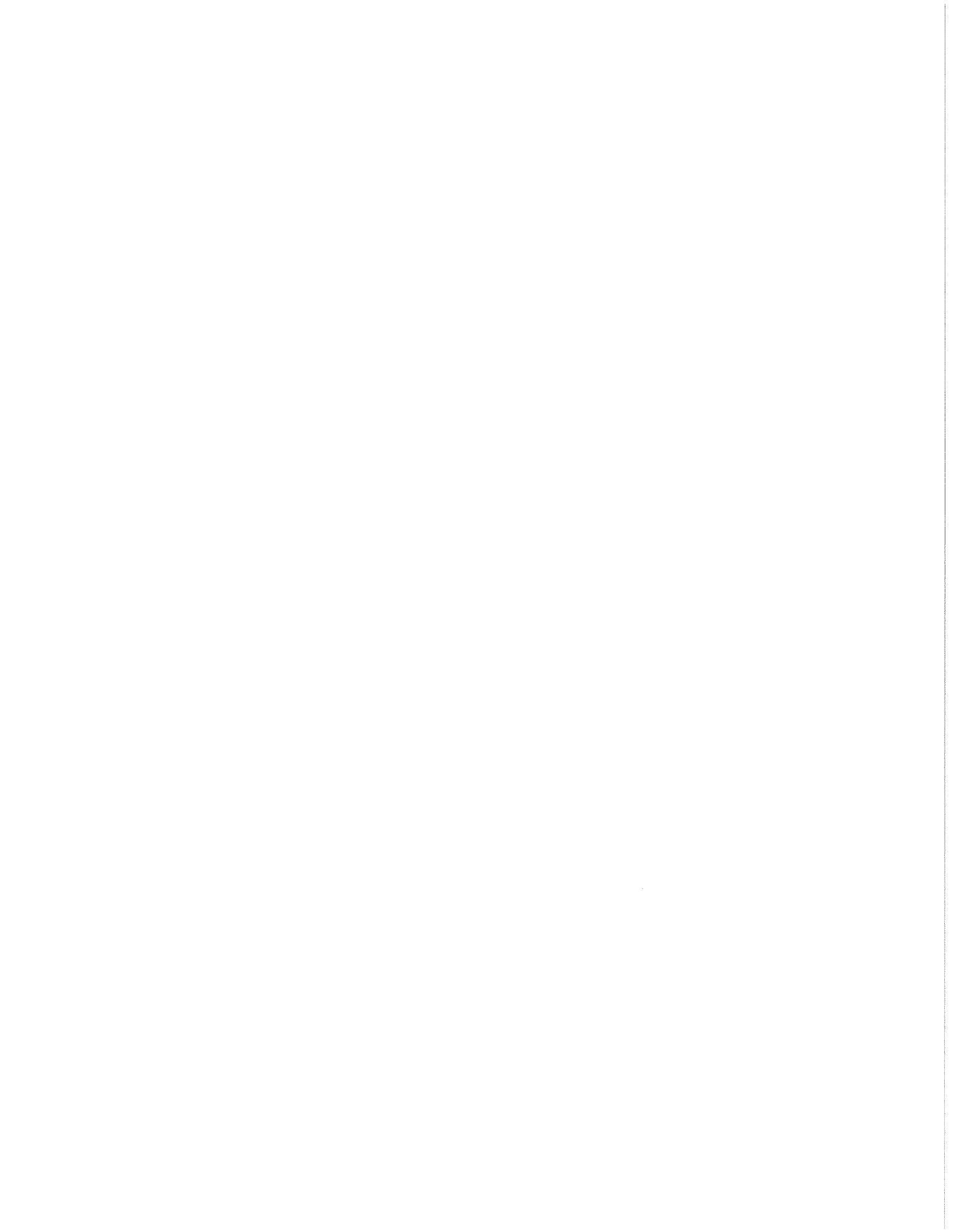
Lakewood, CO

80215 U.S.A.

or, at such other address as Landlord may specify in writing to Tenant. Time is of the essence in this Lease.

4. SECURITY DEPOSIT. Upon the execution of this Lease, Tenant shall pay to Landlord a security deposit in the amount of \$500.00 to be held as security for the payment of rent and the faithful performance by Tenant of all of its obligations in this Lease. The security deposit may be used to reimburse Landlord for all costs and expenses incurred due to Tenant's breach of any covenant, term or condition of this Lease. Landlord may use the security deposit to repair any damage to the Premises caused by Tenant or others, and to clean the Premises upon termination of this Lease. Should any amount be so used, Tenant agrees to restore the security deposit to its original amount. The security deposit shall be held and applied as provided by the laws of CO. The security deposit may not be applied by Tenant to the payment of rent. If Tenant fully performs its obligations hereunder, the security deposit, or balance, shall promptly be returned to Tenant after the termination of this Lease.

5. UTILITIES. Tenant will pay for the following utilities and services furnished to the Premises: Electricity if needed. Landlord will pay for the following utilities and services furnished to the Premises: none. Landlord shall not be liable for any loss or expense incurred by Tenant by reason of the interruption or failure of any utility or service if due to any cause beyond Landlord's control.
6. COMMON AREA EXPENSES. As additional rent, Tenant shall pay to Landlord 0 percent of all costs and expenses incurred by Landlord in operating and maintaining the common areas of the building. Such amounts shall be paid to Landlord promptly upon being billed therefor. For purposes of this Lease, these costs and expenses shall include, but not be limited to, the following:
 0. Tenant shall have the right at all reasonable times to inspect the books and records of Landlord to verify such charges and Tenant's share thereof.
7. LATE CHARGES. If Tenant fails to pay any installment of rent or any other amount due hereunder within 0 days of the date the same is due, Tenant shall pay Landlord a late payment charge equal to 0 of the overdue amounts.
8. USE. The Premises shall be used by Tenant solely for 3 Day camping/music event. and for activities incidental thereto. Tenant may not use the Premises for any other purpose without obtaining the prior written consent of Landlord.
9. LANDLORD'S TAX OBLIGATION. Landlord shall pay and discharge when due all real estate taxes, ordinary and special assessments and other governmental charges levied on or which would become a lien upon the land or building in which the Premises are located.
10. PERSONAL PROPERTY TAXES. Tenant shall pay and discharge when due all taxes, assessments and other governmental charges, if any, levied on or attributable to personal property or improvements of Tenant located upon the Premises, or Tenant's use of the Premises.
11. CASUALTY INSURANCE. During the term of this Lease and any extension or renewal, Landlord shall maintain fire and extended coverage casualty insurance on the building in which the Premises are located.
12. LIABILITY INSURANCE. During the term of this Lease and any extension or renewal, Tenant shall maintain, at its sole expense, public liability and property damage insurance with respect to the Premises with such company as may be acceptable to Landlord. Such policy shall have limits for personal injury of at least \$2,000,000.00 with respect to one person, and at least \$2,000,000.00 with respect to more than one person in any one occurrence, and at least \$2,000,000.00 for property damage. Such policy shall name Landlord and Tenant as the insureds, as their interests may appear, and shall provide that the insurer may not change or cancel such insurance without giving 21 days prior written notice to Landlord. Tenant shall furnish Landlord with a copy of such policy or a certificate of insurance upon Landlord's request.
13. MAINTENANCE AND CONDITION. (a) Landlord shall maintain and repair the following: none. Tenant shall maintain and repair the following: All property rented. (b) Tenant acknowledges that it has examined the Premises and fixtures, equipment and personal property and that they are in good condition and repair. Tenant shall keep the same clean, safe and in as good order and repair as they were at the commencement of this Lease, ordinary wear and tear excepted. Tenant shall use all fixtures, appliances, and facilities in a reasonable manner. Tenant shall dispose of all garbage in designated disposal facilities. Tenant will pay for all damage to the Premises and repairs required due to any act or negligence of Tenant or others. Landlord and Tenant each agree to maintain and repair the Premises in compliance with all laws, ordinances and regulations applicable to them. Tenant agrees to promptly give notice to Landlord of any required repairs or unsafe conditions and Landlord will be afforded a reasonable period of time to complete the same.
14. TENANT'S IMPROVEMENTS. Tenant shall not paint or deface the Premises, or make any alterations, additions or improvements without on each occasion obtaining the prior written consent of Landlord, which consent shall not be unreasonably withheld. Unless otherwise agreed in writing, all alterations, additions and improvements shall become the property of Landlord and shall remain on the Premises at the expiration or termination of this Lease; provided, however, that Landlord, at its option, may require Tenant to remove any such alterations, additions or improvements and restore the Premises to its former condition.
15. DISCHARGE OF LIENS. Tenant agrees to promptly pay its contractors and suppliers for all work performed and materials furnished to the Premises, if any. In the event any mechanic's or similar lien is filed on the Premises or building in which the Premises are located which is claimed to



arise from Tenant's actions, Tenant shall, at its sole expense, discharge or bond against such lien within 10 days of notice from Landlord.

16. **DELIVERY OF POSSESSION.** If Landlord is unable through no fault on its part to deliver possession of the Premises to Tenant on the commencement date, this Lease will continue in effect, but rent and other amounts will be prorated according to when possession is given to Tenant. The term of this Lease will not be extended by any such delay. If Landlord is unable to deliver possession within 30 days of the commencement date, either Landlord or Tenant may terminate this Lease and all payments made will be returned to Tenant and all obligations of the parties will cease. Landlord will not be liable for any damages for such delay or failure to deliver.
17. **QUIET ENJOYMENT.** By paying the rent and observing all the agreements, terms and conditions herein, Tenant shall peaceably and quietly have, hold and enjoy the Premises during the term of this Lease and any extension or renewal, subject to the provisions hereof.
18. **ACCESS.** Landlord and its agents may enter the Premises at all reasonable times and upon reasonable notice to Tenant to conduct inspections, make necessary or desired repairs or improvements, or to show the same to prospective tenants, buyers or lenders. Landlord may also enter the Premises when the same appear to be abandoned and for the purpose of placing signs offering the Premises for sale or rent. In an emergency, and as permitted by law, Landlord may enter the Premises without prior notice to Tenant.
19. **COMPLIANCE WITH LAW.** Tenant, at its sole expense, shall comply with all present and future laws, ordinances, regulations and requirements of any federal, state or local authority relating to Tenant's use of the Premises. Tenant shall not make or permit any waste on the Premises, or any nuisance or use which might interfere with the enjoyment of other tenants or persons in the general area of the Premises. Tenant shall not commit or permit any act or use of the Premises which may increase the fire hazard or the cost of fire or other insurance on the building in which the Premises is located, or cause the cancellation of such insurance. Tenant shall pay any additional insurance premiums resulting from Tenant's use of the Premises. Tenant shall obtain, at its sole expense, any licenses or permits which may be required for Tenant's use of the Premises.
20. **RULES AND REGULATIONS.** Tenant shall comply with all rules and regulations currently in effect or which Landlord may hereafter adopt for the safety, care and orderly operation of the Premises and for the benefit and comfort of other tenants or neighbors. The current rules and regulations, if any, are attached hereto and made a part of this Lease.
21. **ASSIGNMENT AND SUBLETTING.** Tenant shall not assign, transfer or encumber this Lease, nor sublet all or any portion of the Premises, nor permit the occupation by others, without on each occasion obtaining the prior written consent of Landlord, which consent shall not be unreasonably withheld. Consent of Landlord on any one occasion shall not be deemed a waiver of the necessity for consent on any other occasion. Notwithstanding any assignment or subletting, Tenant shall remain primarily liable for the payment of rent and the performance of all covenants, terms and conditions of this Lease. Any attempt to assign or sublet without Landlord's consent shall be void and shall entitle Landlord, at its option, to terminate this Lease.
22. **FIRE AND CASUALTY.** This Lease will terminate upon a total destruction of the Premises or building containing the Premises due to fire or other casualty and rent will be apportioned as of such date. In the event the Premises or the building containing the Premises are damaged by fire or other casualty so as to render the Premises unsuitable for the use for which the same are leased, rent will be abated until Landlord shall have restored the same to substantially their former condition. Provided, however, that if Landlord elects not to repair such damage, or if such repairs shall not have been completed within 90 days, either party may terminate this Lease and rent will be apportioned as of the date of termination.
23. **CONDEMNATION.** If the entire building in which the Premises are located is acquired or condemned by the power of eminent domain by any public or other authority, then this Lease will terminate upon the date such taking becomes effective. Rent and other payments will be apportioned as of such date. If any part of the Premises or building containing the Premises is so acquired or condemned so as to render the Premises unsuitable for the use for which the same are leased, then this Lease may be terminated by either party upon thirty days written notice to the other. Rent and other payments will be apportioned between the parties as of the date of termination. If this Lease is not so terminated, then rent and other payments will be abated according to the nature and extent of the area taken. All damages awarded for such taking shall

belong to and be the exclusive property of Landlord. Tenant agrees to sign such further instruments of assignment as Landlord may reasonably request to accomplish the foregoing. Provided, however, that any damages awarded for moving expenses or Tenant's fixtures, improvements or equipment shall belong to Tenant.

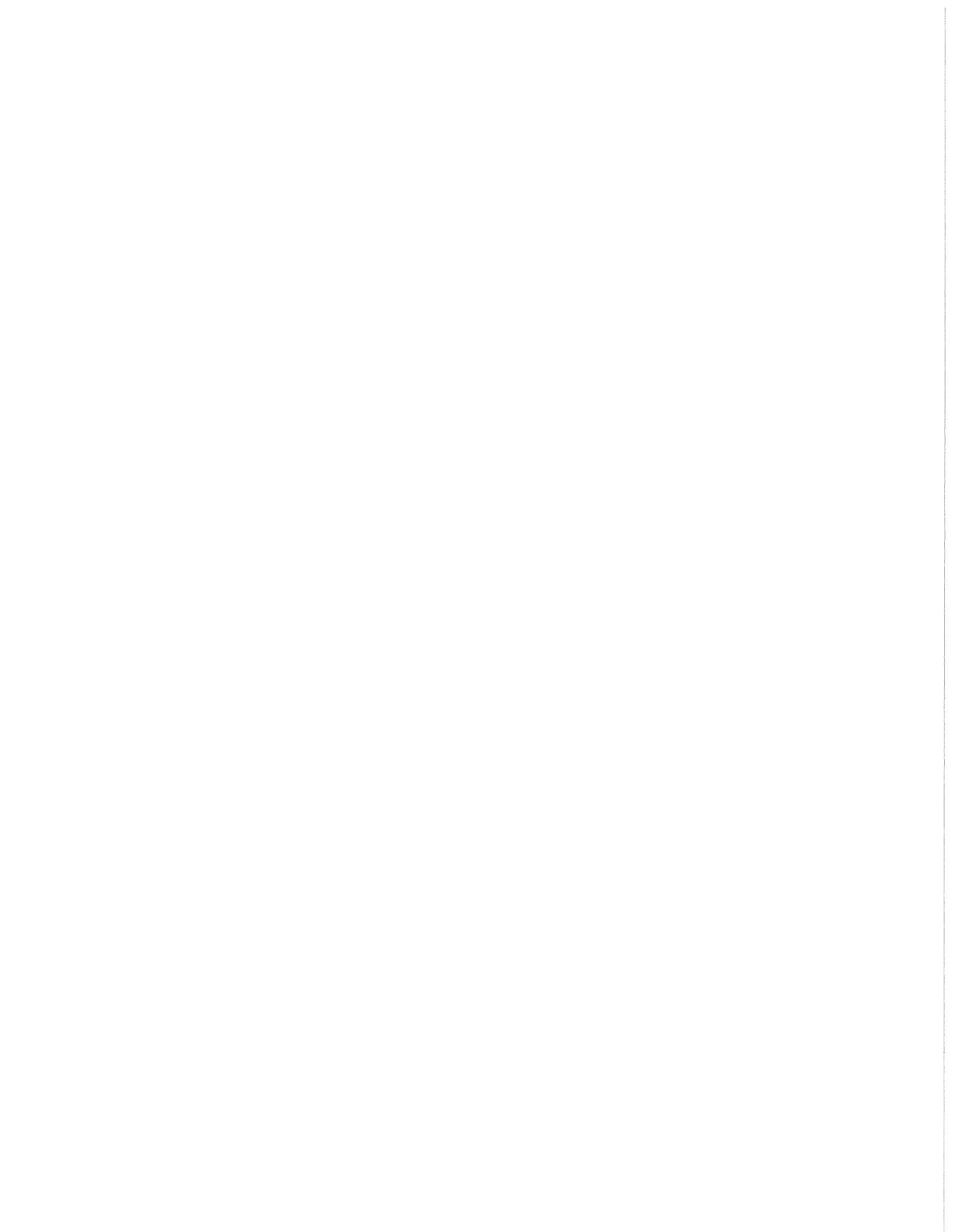
24. LOSS OR DAMAGE. Unless caused by the negligence of Landlord, Landlord will not be liable for any loss, damage or theft of any property of Tenant or others kept or stored in or about the Premises. Tenant acknowledges that it is Tenant's responsibility to insure its own property and improvements.
25. INDEMNIFICATION. (a) Tenant shall indemnify and hold Landlord harmless from any and all claims, loss, damages, liens, expenses, including reasonable attorney's fees, and liabilities of whatever nature, arising out of or relating to (i) any default by Tenant in the performance or observance of any covenant, term or condition of this Lease, (ii) loss or damage to any property or injury or death to Tenant or any person occurring on or about the Premises due to any cause other than Landlord's negligence, and (iii) Tenant's use and occupancy of the Premises. (b) Landlord shall indemnify and hold Tenant harmless from any and all claims, loss, damages, liens, expenses, including reasonable attorney's fees, and liabilities of whatever nature, arising out of or relating to any default by Landlord in the performance or observance of any covenant, term or condition of this Lease.
26. DEFAULT. Tenant shall be in default of this Lease upon the occurrence of any one of the following events:
- (a) failure to pay any installment of rent or any other amount required herein which shall continue for 20 days after the same is due;
 - (b) failure to perform or observe any other covenant, term or condition of this Lease which shall not be corrected within 15 days after written notice from Landlord, or for such longer period as may be reasonably necessary to correct such default;
 - (c) abandonment or cessation of business operations at the Premises by Tenant;
 - (d) any misrepresentation or omission of or on behalf of Tenant made to Landlord in connection with this Lease;
 - (e) the taking of the leasehold created hereby on execution or by other process of law;
 - (f) insolvency or failure of Tenant or any guarantor to generally pay its debts as they become due;
 - (g) assignment for the benefit of creditors of, or appointment of a receiver or other officer for, all or any part of Tenant's or any guarantor's property; or
 - (h) adjudication of bankruptcy, or filing of a petition under any bankruptcy or debtor's relief law by or against Tenant or any guarantor.

27. REMEDIES OF LANDLORD.

(a) Upon any default by Tenant, Landlord may, at its option, terminate this Lease and/or commence eviction proceedings in accordance with the laws of CO. Upon any such default, Landlord shall also have the right to enter upon the Premises or any part thereof, without demand or notice, and repossess the same and expel Tenant and any other occupants and their effects, either with or without terminating this Lease. Any entry may be with or without process of law, by force if necessary, or otherwise according to law. No entry shall subject Landlord to any liability for trespass or damages. Upon any entry or termination, Landlord agrees to use reasonable efforts to relet the Premises on Tenant's behalf or otherwise, for such term and rent as Landlord may determine. No act or failure to act by Landlord shall waive any remedies which Landlord may have for arrears of rent or breach of covenant or release Tenant from any liability whatsoever.

(b) Upon any termination or entry as above, Tenant shall indemnify Landlord against all loss of rents and other amounts which Landlord may incur over the remainder of the term in addition to paying all overdue rent and other payments. At Landlord's election, Tenant shall pay to Landlord an amount equal to the excess of the rent and other payments hereunder for the remainder of the term over the fair rental value of the Premises over the same period. Tenant shall also pay to Landlord all costs and expenses incurred by Landlord by reason of Tenant's default including, without limitation, attorney's fees, costs of regaining possession and reletting the Premises, broker's fees, storage fees and repairing and cleaning costs.

28. **NO WAIVER.** The failure of Landlord or Tenant to require strict performance by the other of any covenant, term or condition of this Lease is not a waiver for the future of any breach of the same or any other covenant, term or condition herein. Landlord's acceptance of rent is not a waiver of any breach by Tenant.
29. **REMEDIES CUMULATIVE.** To the extent permitted by law, the rights and remedies of Landlord herein are cumulative, and the exercise of any one of them will not be deemed to be in exclusion of any other. The rights and remedies herein are in addition to any other rights and remedies available to Landlord at law or equity.
30. **RIGHT TO CURE OTHER'S DEFAULT.** If either Landlord or Tenant fails to perform any covenant, term or condition of this Lease, the other party may, after giving reasonable notice, perform such covenant, term or condition and expend whatever sums may be necessary. All sums expended shall be repaid on demand. This performance shall not waive any rights or remedies which either party may have against the other for such default.
31. **SUBORDINATION OF LEASE.** This Lease is subject and subordinate to all present and future mortgages, trust deeds and other security instruments that may be placed on the building in which the Premises are located; provided that for so long as Tenant is not in default of this Lease, no foreclosure or similar proceeding will terminate this Lease or impair any of Tenant's rights. In the event of any such proceeding, Tenant shall attorn to the new owner and accept such successor as the new Landlord under this Lease. Although no further act by Tenant is necessary to accomplish the above, Tenant agrees to sign any other instruments evidencing this subordination and attornment as Landlord may reasonably request.
32. **UNAVOIDABLE DELAYS.** Neither party will be liable for any delay or failure in the performance of any of its obligations herein when due to labor disputes, inability to obtain materials or services, wars, governmental laws or restrictions, weather, acts of God, or any other cause beyond the reasonable control of such party. Provided, however, that this section shall not excuse Tenant from the prompt payment of rent or any other amount due herein.
33. **SURRENDER AND HOLDING OVER.** No surrender of the Premises or this Lease shall be effective unless accepted in writing by Landlord. At the expiration or sooner termination of this Lease, Tenant will remove its effects and peaceably deliver possession of the Premises to Landlord in as good repair and condition as they were at the commencement of this Lease, ordinary wear and tear excepted. Any property left on the Premises after Tenant vacates or abandons the Premises shall be deemed abandoned and Landlord may remove, store and/or dispose of the same as it sees fit, subject to applicable law. If Tenant holds over beyond the expiration or termination of this Lease and rent is accepted by Landlord, a month-to-month tenancy only shall be created which will otherwise be governed by the terms and conditions of this Lease. Nothing in this section shall be construed as a consent to any holding over by Tenant.
34. **TERMINATION IN EVENT OF SALE.** It is expressly agreed that Landlord, at its option, may terminate this Lease or any extension or renewal upon Right to rent property in 2013 based on agreed success on 2012 event. 90 days prior written notice to Tenant in the event of a sale of the building containing the Premises.
35. **LIMITED LIABILITY.** It is expressly agreed that neither Landlord nor any individual, partner, shareholder or member comprising Landlord shall be personally liable under this Lease. In the event Landlord breaches any provision of this Lease, Tenant will look solely to the equity, if any, of Landlord in the building in which the Premises is located to satisfy its claims and remedies, and Landlord's liability shall not exceed such equity interest.



36. NOTICES. All notices and communications under this Lease shall be in writing and shall be deemed to be properly given when delivered personally or sent by certified mail, return receipt requested, to Landlord at

608 Garrison Street

Lakewood, CO

80215 U.S.A.

or, to Tenant at

P.O. box 2739

Littleton, CO

80161 U.S.A.

or, to such other address as either party may specify in writing to the other.

37. ENTIRE AGREEMENT. The parties acknowledge that they have read and understand the terms of this Lease. This Lease contains the entire agreement and understanding between the parties regarding the Premises and is subject to no agreements, conditions or representations that are not expressly set forth herein. This Lease may only be amended in writing and signed by both Landlord and Tenant.
38. INVALID PROVISION. If any provision of this Lease shall be invalid or unenforceable, the remaining provisions shall remain in full force and effect.
39. CAPTIONS. The captions in this Lease are inserted only for convenience and in no way construe or interpret the provisions hereof or affect their scope or intent.
40. PARTIES BOUND. This Lease shall be binding upon and shall inure to the benefit of the parties and their respective heirs, legal representatives, successors and assigns. Provided, however, that if Landlord sells the building in which the Premises is located, Landlord shall be released from all liabilities under this Lease. The purchaser, as successor landlord, shall be deemed to have assumed all of the obligations and liabilities of Landlord under this Lease.
41. RIDERS. The riders and exhibits, if any, attached hereto and initialled by the parties are made a part of this Lease.

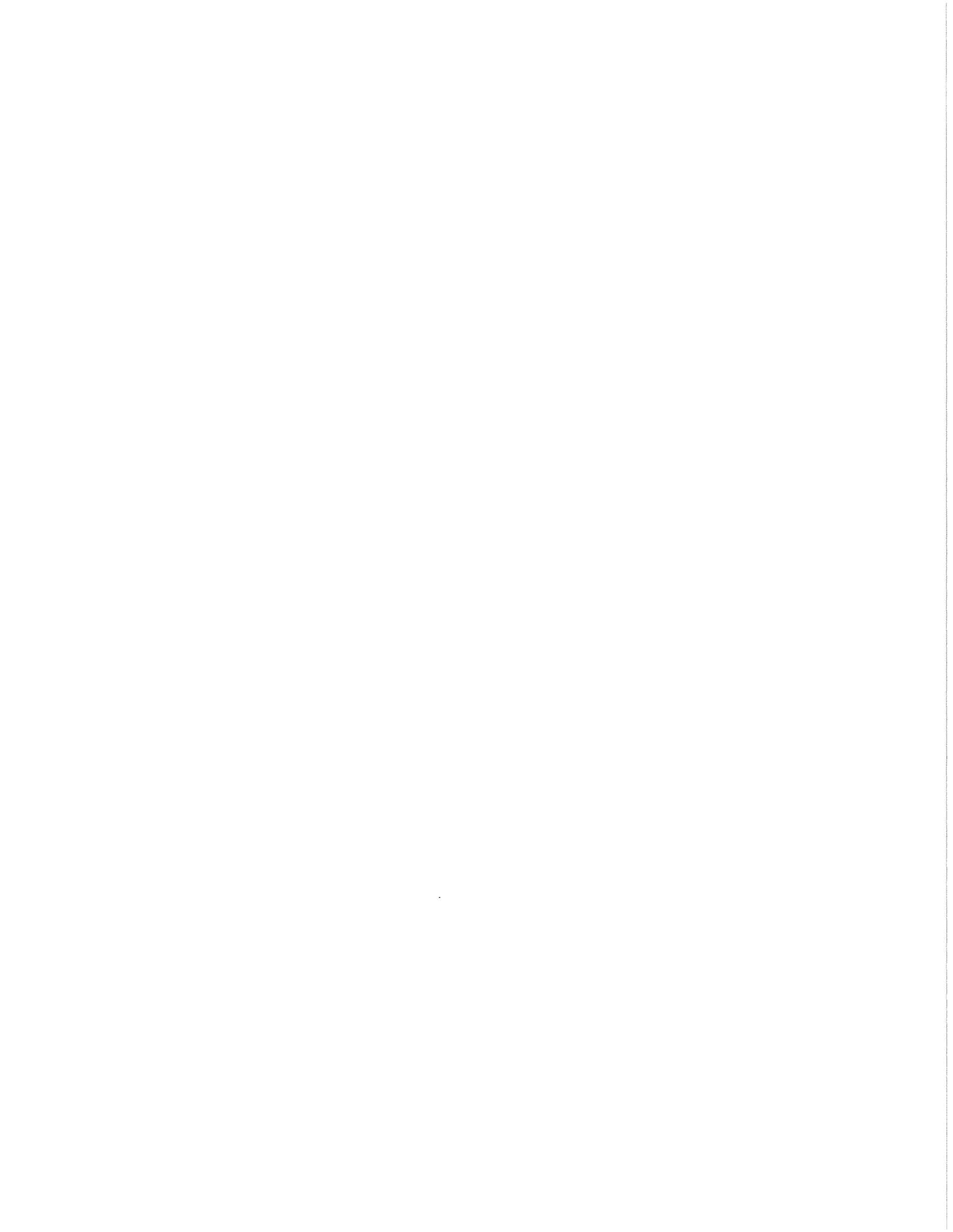
42. ADDITIONAL PROVISIONS:

Parking on lots, festival/food/beverage/2500-5000 patrons. Two stages for music. Fenced festival area. Camping area above and surrounding the the music festival area. Approx. 300 10'x10' camp sites.

Tenant is responsible for any vandalism or graffiti at Verizon or T-Mobile towers.

CM tk

IN WITNESS WHEREOF, this Lease is executed under seal on January 1, .



Executed in the presence of:

WITNESS

LANDLORD

Christopher J. Murphy _____ (Seal)

Christopher Murphy
WITNESS

Jim _____
TENANT

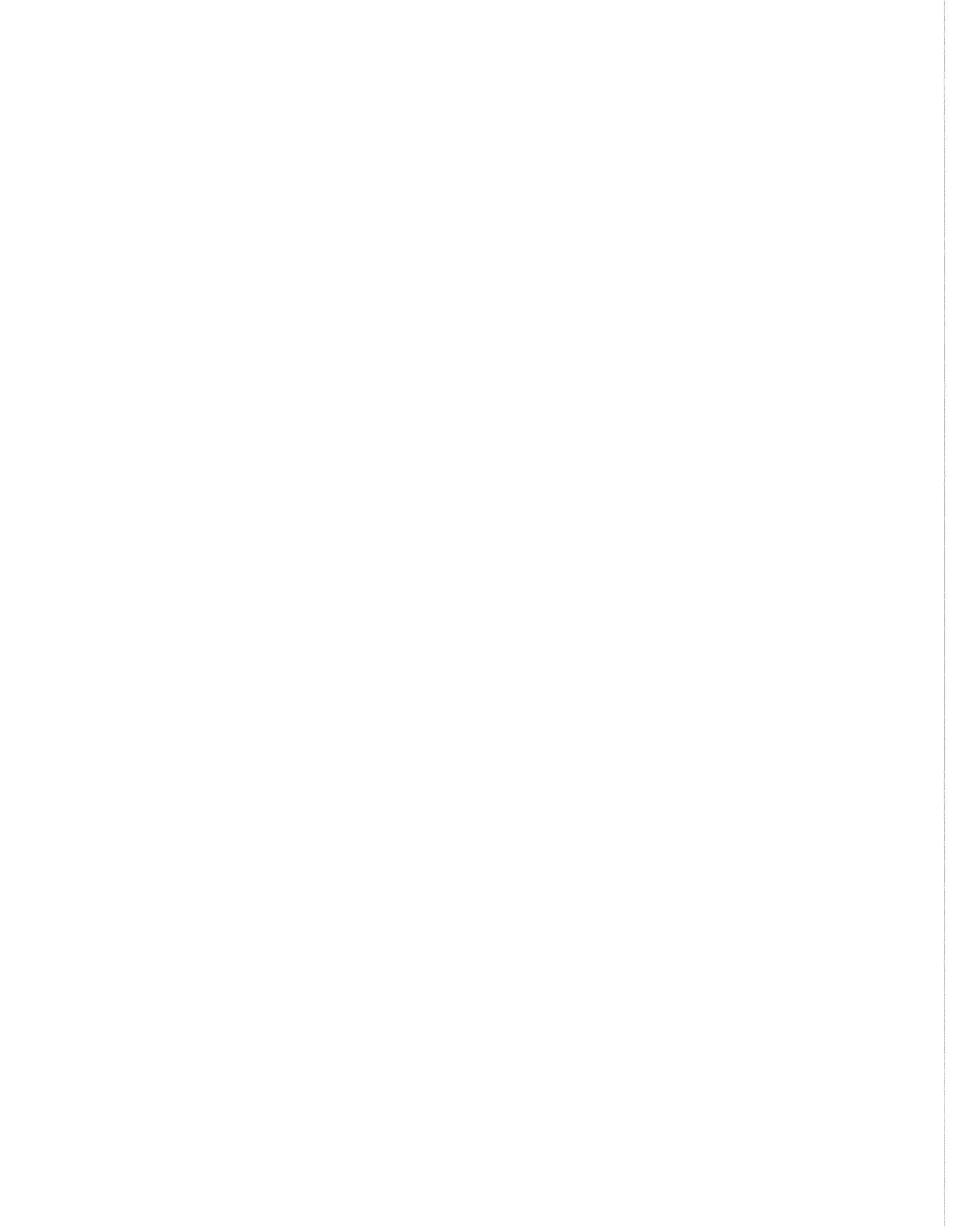
Jim _____

Tom Raatikainen
Jim Doyle (Seal)
Music Buzz Media LLC

STATE OF Colorado

COUNTY OF Gilpin

In _____, on the _____ day of _____, _____, before me, a Notary Public in and for the above state and county, personally appeared Jim _____, known to me or proved to be the person named in and who executed the foregoing instrument, and being first duly sworn, such person acknowledged that he executed said instrument for the purposes therein contained as his free and voluntary act and deed.





AGENDA ITEM # 9

CITY COUNCIL COMMUNICATION FORM

FROM: Maureen Juran, Asst. City Attorney
Chief Terry Krelle

Through: Linda Michow, City Attorney

DATE: June 11, 2012

ITEM: Ordinance 12-05: Second Reading June 27, 2012

ORDINANCE
 MOTION
 INFORMATION

I. **REQUEST OR ISSUE:** The City Council is being asked to consider Ordinance No. 12-05 on second reading on June 27, 2012. Ordinance 12-05 is being brought forward at the request of the Chief of Police. This ordinance amends Section 10-25 of the Municipal Code which previously made it unlawful for any manager or employee of a liquor licensed establishment to fail to immediately report to the Police any disorderly conduct on the premises. Ordinance 12-05 expands that responsibility, requiring:

(1) that licensees conduct their establishments in a decent, orderly and respectable manner and not permit within or upon the licensed premises the loitering of habitual drunkards or visibly intoxicated persons, lewd or indecent acts, obscene profanity, rowdiness, undue noise or other unlawful activity offensive to the residents or occupants of the neighborhood in which the establishment is located;

(2) immediate reporting to the Police Department of any disorderly or unlawful activity under federal, state or local law occurring on or within the licensed premises or the property surrounding such licensed premises which is under the ownership or control of the licensee; and

(3) the posting of a sign on the premises informing the public of the establishment's obligation to immediately report such activity.

II. **RECOMMENDED ACTION / NEXT STEP:** Approve Ordinance No. 12-05 on second

reading following public hearing on June 27, 2012 at 7 p.m.

- III. **FISCAL IMPACTS:** There will be fiscal impacts to the City only in terms of printing and distributing the required warning signs.
- IV. **BACKGROUND INFORMATION:** The Police Department has experienced situations in the past in which they were not timely informed of disturbances in liquor licensed establishments. In addition, previously the obligation to report only attached when there was disorderly conduct at the establishment, which is a defined offense. The Police Department has communicated a need to broaden the types of activity which trigger the reporting requirement. Attached to this Memorandum as Exhibit A is a description of the changes that are being proposed to Section 10-25 of the Municipal Code.
- V. **LEGAL ISSUES:** The City is authorized pursuant to Section 31-15-501(c), C.R.S., to license and regulate any lawful occupation or business.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A
- VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:
- (1) Adopt Ordinance No. 12-05 on second reading following public hearing, 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 reconsideration; or
 - (3) Reject or deny the Ordinance.

Exhibit A

Ordinance 12-05 LEGISLATIVE CHANGES VERSION ONLY

Section 10-25 of the City of Central Municipal Code is amended by Ordinance 12-05 to read as follows with additions shown in all caps and deletions shown as strike-throughs:

Sec. 10-25. CONDUCT OF LICENSED ESTABLISHMENTS; Report of disorderly conduct CRIMINAL ACTIVITY by liquor licensees.

(A) ANY PERSON WHO IS A HOLDER OF A FERMENTED MALT BEVERAGE, MALT, VINOUS OR SPIRITUOUS LIQUOR LICENSE SHALL CONDUCT HIS ESTABLISHMENT IN A DECENT, ORDERLY AND RESPECTABLE MANNER AND SHALL NOT PERMIT WITHIN OR UPON THE LICENSED PREMISES THE LOITERING OF HABITUAL DRUNKARDS OR VISIBLY INTOXICATED PERSONS, LEWD OR INDECENT ACTS AS DEFINED IN SECTION 10-162 OF THIS CODE, OBSCENE PROFANITY, ROWDINESS, UNDUE NOISE OR OTHER UNLAWFUL ACTIVITY OFFENSIVE TO THE RESIDENTS OR OCCUPANTS OF THE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED.

(B) It shall be a violation of this Code for any person who is a holder of a fermented malt beverage, malt, vinous or spirituous liquor license, or FOR any manager or employee of such license holder IN TEMPORARY CHARGE AT THE LICENSED ESTABLISHMENT AT THE TIME OF THE UNLAWFUL ACTIVITY to fail to immediately report to the Police Department any disorderly or ~~criminal~~ UNLAWFUL activity UNDER FEDERAL, STATE OR LOCAL LAW occurring on or within the licensed premises OR THE PROPERTY SURROUNDING SUCH LICENSED PREMISES WHICH IS UNDER THE OWNERSHIP OR CONTROL OF THE LICENSE HOLDER IMMEDIATELY UPON THE OCCURRENCE OF THE SAME.

(C) EACH PERSON WHO IS A HOLDER OF A FERMENTED MALT BEVERAGE, MALT, VINOUS OR SPIRITUOUS LIQUOR LICENSE SHALL POST AND KEEP AT ALL TIMES VISIBLE TO THE PUBLIC IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES A SIGN TO BE PROVIDED BY THE CITY CLERK'S OFFICE WHICH SHALL BE IN THE FOLLOWING FORM AND CONTENT:

WARNING! THE POLICE DEPARTMENT MUST BE IMMEDIATELY NOTIFIED OF ALL UNLAWFUL ACTIVITY INCLUDING DISORDERLY CONDUCT OR DISTURBANCES OF THE PEACE WHICH OCCUR IN THIS LICENSED ESTABLISHMENT.

(D) IT SHALL NOT BE A DEFENSE TO A CHARGE OF VIOLATION OF THIS SECTION THAT THE HOLDER OF A FERMENTED MALT BEVERAGE, MALT, VINOUS OR SPIRITUOUS LIQUOR LICENSE WAS NOT PERSONALLY PRESENT ON THE LICENSED PREMISES AT THE TIME OF THE UNLAWFUL ACTIVITY, BUT NO MANAGER OR EMPLOYEE OF SUCH LICENSE HOLDER NOT IN TEMPORARY CHARGE OF THE LICENSED ESTABLISHMENT AT THE TIME OF THE UNLAWFUL ACTIVITY SHALL BE CHARGED WITH A VIOLATION OF THIS SECTION.

(E) ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION, UPON CONVICTION THEREOF, SHALL BE SUBJECT TO IMPOSITION OF THE GENERAL PENALTY AS SET FORTH IN SECTION 1-72 OF THIS CODE.

**CITY OF CENTRAL, COLORADO
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**

WHEREAS, the City of Central is authorized under its Home Rule Charter and subsections (b)(e) and (f) of C.R.S., Section 31-15-401(1) to adopt police power regulations as necessary for the promotion of the public health and to prevent disturbances and disorderly conduct; and

WHEREAS, Section 10-25 of the Central City Municipal Code currently requires the holder of any liquor license or the manager or employee of such licensee to immediately report to the Police Department any disorderly conduct or criminal activity occurring on or in the licensed premises; and

WHEREAS, in order to promote the public peace and safety, the City desires to amend Section 10-25 to expand the reporting obligation of licensees to include criminal activity on property surrounding a licensed premise owned or under the control of the licensee.

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

Section 1. Section 10-25 of the City of Central Municipal Code is hereby amended to read as follows in its entirety:

Sec. 10-25. Conduct of licensed establishments; Report of criminal activity by liquor licensees.

(A) Any person who is a holder of a fermented malt beverage, malt, vinous or spirituous liquor license shall conduct his establishment in a decent, orderly and respectable manner and shall not permit within or upon the licensed premises the loitering of habitual drunkards or visibly intoxicated persons, lewd or indecent acts as defined in Section 10-162 of this Code, obscene profanity, rowdiness, undue noise or other unlawful activity offensive to the residents or occupants of the neighborhood in which the establishment is located.

(B) It shall be a violation of this Code for any person who is a holder of a fermented malt beverage, malt, vinous or spirituous liquor license, or for any manager or employee of such license holder in temporary charge at the licensed establishment at the time of the unlawful activity to fail to immediately report to the Police Department any disorderly or unlawful activity under federal, state or local law occurring on or within the licensed premises or the property surrounding such licensed premises which is under the ownership or control of the license holder immediately upon the occurrence of the same.

(C) Each person who is a holder of a fermented malt beverage, malt, vinous or spirituous liquor license shall post and keep at all times visible to the public in a conspicuous place on the licensed premises a sign to be provided by the City Clerk's office which shall be in the following form and content:

WARNING! THE POLICE DEPARTMENT MUST BE IMMEDIATELY NOTIFIED OF ALL UNLAWFUL ACTIVITY INCLUDING DISORDERLY CONDUCT OR DISTURBANCES OF THE PEACE WHICH OCCUR IN THIS LICENSED ESTABLISHMENT.

(D) It shall not be a defense to a charge of violation of this Section that the holder of a fermented malt beverage, malt, vinous or spirituous liquor license was not personally present on the licensed premises at the time of the unlawful activity, but no manager or employee of such license holder not in temporary charge of the licensed establishment at the time of the unlawful activity shall be charged with a violation of this Section.

(E) Any person who violates any provision of this Section, upon conviction thereof, shall be subject to imposition of the general penalty as set forth in Section 1-72 of this Code.

Section 2. Repealer. Existing ordinances, rules or policies, or parts thereof that are inconsistent or conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 4. Codification Amendments. The codifier of the City's Municipal Code, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the City of Central Municipal Code.

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 5th day of June, 2012, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Linda C. Michow, 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 27th day of June, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on June 14, 2012.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on July 5, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk



AGENDA ITEM # 10

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Engels and Members of City Council
FROM: Linda Michow, City Attorney
DATE: June 27, 2012
ITEM: Ordinance 12-06

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** The City Council is being asked to consider Ordinance No. 12-06 on second reading following a public hearing. The purpose of the Ordinance is to create an entertainment district in which common consumption areas are allowed to be designated for customers to carry and consume alcohol beverages. A secondary purpose of the Ordinance is to allow administrative approvals of certain liquor related applications, as previously authorized by City Council.
- Two minor revisions to the Ordinance were made from first reading: (1) adding the words "Decision on" to Section 6-205(d); and (2) adding subsection (f) to Section 6-206 to clarify the license renewal process.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Ordinance No. 12-06 on second reading with any amendments as proposed by City Council.
- III. **FISCAL IMPACTS:** The designation of common consumption areas may increase police patrols and enforcement. Notably, however, a promotional association is required to provide security and to provide liquor server training to all of the security personnel. It is anticipated that a promotional association will bear the cost of enforcement through the provision of security plans.
- IV. **BACKGROUND INFORMATION:** State legislation passed in 2011, known as Senate Bill 11-273, authorizes local governments in Colorado to opt-in to the creation of "common consumption areas" – which would operate much like an ongoing special event. In order to opt-in, City Council is required to designate an "entertainment district" by ordinance or resolution. An entertainment district may not exceed 100 acres and must contain ". . . at

least twenty thousand square feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant when the [entertainment] district is created." C.R.S. § 12-47-103(7.5) (as added by S.B. 11-273).

The proposed Ordinance designates the entirety of the Historic Downtown Gaming and Gregory Gulch Gaming districts as the Central City Entertainment District.

A common consumption area may only be located within the designated entertainment district and must be operated by a certified "promotional association," which is defined in the bill as an association incorporated in Colorado that "organizes and promotes entertainment activities within a common consumption area, and is organized or authorized by two or more people who own or lease property within an entertainment district." C.R.S. § 12-47-103(24.5) (as added by S.B. 11-273).

In order to operate a common consumption area, property owners (or lessees) or property within the designated entertainment district will need to create a promotional association and seek certification of such association through the City Council, sitting as the Local Licensing Authority, to operate within the common consumption area.

Ordinance No. 12-06 sets forth the criteria for establishing a common consumption area, qualifications for certification of a promotional association, application procedures, criteria of approval, operational requirements and enforcement mechanisms.

V. **LEGAL ISSUES:** The City is authorized to enact Ordinance No. 12-06 pursuant to its home rule authority and Senate Bill 11-273.

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

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

- (1) Adopt Ordinance No. 12-06 on second 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 second reading; or
- (3) Reject or deny the Ordinance.

**CITY OF CENTRAL, COLORADO
ORDINANCE 12-06**

**AN ORDINANCE 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**

WHEREAS, the City of Central, Colorado is a home rule municipal corporation authorized to adopt ordinances in furtherance of the public health, safety and welfare; and

WHEREAS, the State of Colorado adopted Senate Bill No. 11-273 which authorizes the expanded consumption of alcohol within common areas located within designated entertainment districts that are established by local jurisdictions; and

WHEREAS, the City Council desires to establish an entertainment district for the purposes contemplated by Senate Bill No. 11-273; and

WHEREAS, the City Council proposes an Entertainment District that is less than one hundred acres and has at least twenty thousand square feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant; and

WHEREAS, the City Council wishes to allow common consumption areas within an Entertainment District of the City; and

WHEREAS, the City Council wishes to establish application procedures, fees, and regulations concerning the operation of common consumption areas.

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

Section 1. Section 6-200 of Article VII of Chapter 6, titled "Liquor Licenses" is hereby amended to add the following definitions:

Common Consumption Area means a pedestrian area located wholly within a designated Entertainment District and approved by the Liquor Licensing Authority that uses physical barriers to close the areas to motor vehicle traffic and limit pedestrian access.

Common Consumption Area Law means Sections 12-47-301(11), 12-47-908, 12-47-909 of the Colorado Revised Statutes, as may be amended.

Entertainment District means an area within the City that is designated as an Entertainment District of a size no more than one hundred acres and containing at least twenty thousand square

feet of premises licensed as a tavern, hotel and restaurant, brew pub, or vintner's restaurant at the time the District is created.

Licensee means a person to whom a license is granted by the Local Licensing Authority to manufacture or sell alcohol beverages as provided under the Colorado Liquor Code.

Local Licensing Authority means the City Council of the City of Central.

Promotional Association means an association that is incorporated within Colorado that organizes and promotes entertainment activities within a Common Consumption Area, is organized or authorized by two or more people who own or lease property within an Entertainment District, and is certified by the Local Licensing Authority.

Section 2. Article VII of Chapter 6, titled "Liquor Licenses," is hereby amended to add a new Section 6-204 to allow for administrative approvals of certain applications to read in full as follows:

Sec. 6-204. Administrative Applications.

(a) The following liquor-related applications may be decided by the City Clerk, subject to appeal or referral to the Local Licensing Authority:

1. Transfer of ownership of existing license;
2. Change of corporate structure of existing license;
3. Renewal of existing license;
4. Manager registration for existing license;
5. Special events permit;
6. Change of corporate or trade name permit for existing license;
7. Bed and breakfast permits;
8. Recertification of Promotional Associations; and
9. All other City license-related applications not requiring a public hearing by the Colorado Liquor Code.

(b) The City Clerk may refer to the Local Licensing Authority for a decision regarding any administrative application when, as determined in the discretion of the City Clerk, the public interest would be best served by the determination of the matter by the Local Licensing Authority.

(c) Administrative applications denied by the City Clerk may be appealed to the Local Licensing Authority. Appeals must be submitted in writing to the City Clerk within ten (10) days of denial, and may request a hearing. Appeals to the Local Licensing Authority will be decided de novo.

(d) As authorized pursuant to Section 12-48-107(5) of the Colorado Revised Statutes, approval by the City of a special event permit application shall not require the state's approval or disapproval. Within ten (10) days of issuance of a special event permit, the City Clerk shall

notify the state liquor enforcement division of the name of the organization to which a special event permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

Section 3. Article VII of Chapter 6, titled "Liquor Licenses," is further amended to add the following new sections to allow for the creation of Entertainment Districts and Common Consumption Areas to read in full as follows:

Sec. 6-205. Creation of Entertainment District and General Requirements.

(a) In order to exercise the City's local option to allow Common Consumption Areas in the City and to effectuate the purposes and intent of C.R.S. Section 12-47-301(11), there is hereby established and designated the Central City Entertainment District whose boundaries include all lands, inclusive of rights-of-way, located in the Historic Downtown Gaming and Gregory Gulch Gaming zone districts as such districts' boundaries may be changed. Properties may be included or excluded from the Central City Entertainment District by resolution of the City Council. By establishing the Central City Entertainment District, the City authorizes the licensing of designated Common Consumption Areas in which alcohol beverages may be sold and consumed subject to the requirements of this Article, the Code and the Common Consumption Area Law.

(b) The Local Licensing Authority has the following powers with respect to Common Consumption Areas and Promotional Associations:

1. Designate one or more Common Consumption Areas;
2. Certify or decertify a Promotional Association;
3. Authorize inclusion or exclusion of licensed establishments from a Common Consumption Area;
4. Impose reasonable conditions of approval on the licensing of Common Consumption Areas, certification of Promotional Associations; or the inclusion or exclusion of licensed establishments within the Common Consumption Area; and
5. Exercise all powers necessary to effectuate the purposes of the Common Consumption Area Law.

(c) The standards for Common Consumption Area licenses issued to Promotional Associations shall be in addition to all other standards applicable under this Article, the Code and the Colorado Liquor Code.

(d) Decisions on applications for Common Consumption Areas, Promotional Associations and inclusions and exclusions from the Common Consumption Area shall be made by the Local Licensing Authority within sixty (60) days of receipt of a complete application. A decision to deny any such application by the Local Licensing Authority shall be in writing and shall be provided to the applicant within five (5) business days of the decision.

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Sec. 6-206. Common Consumption Areas.

(a) Within the Central City Entertainment District, Common Consumption Areas may be licensed by the Local Licensing Authority upon application by a Promotional Association in conformance with the requirements of this Article and the Colorado Liquor Code.

(b) A Promotional Association may submit an application for the designation of a Common Consumption Area on forms approved by the City Clerk in accordance with the following minimum information:

1. Application and license fees.
2. Name, address and list of all officers of Promotional Association.
3. Documentation of how the application addresses the reasonable requirements of the neighborhood or desires of the adult inhabitants.
4. The size, in terms of acreage or square footage, of the Common Consumption Area; all areas must be contiguous within the Common Consumption Area.
5. Proposed hours, dates and days of operation of the Common Consumption Area.
6. A site plan detailing the proposed Common Consumption Area including the following information: boundaries of the area, location and description of physical barriers, location of all entrances and exits, location of all attached licensed premises, location of signs to be posted notifying customers of the hours of operation and restrictions associated with the Common Consumption Area.
7. A security plan detailing security arrangements for the Common Consumption Area including but not limited to the following information: evidence of completed liquor training of all security personnel approved by the City Clerk, number and location of security personnel during the days and hours of operation of the Common Consumption Area, and evidence of appropriate licensing under Article III, Chapter 6 of this Code;
8. Signed statement that the Common Consumption Area and all licensed establishments therein can be operated in compliance with this Article, all applicable provisions of this Code, and the Colorado Liquor Code;
9. Documentation evidencing legal authorization for use of the Common Consumption Area; and
10. Proof of Insurance of general liability and liquor liability naming the City of Central and its officers and employees as additional insured in a minimum amount of One Million Dollars (\$1,000,000).

(c) An application for establishment of a Common Consumption Area shall be considered at a duly noticed public hearing of the Liquor Licensing Authority based on the following criteria of approval.

1. There must be at least two (2) licensed establishments within the Common Consumption Area;
2. Use of the Common Consumption Area is compatible with the reasonable requirements of the neighborhood or the desires of the adult inhabitants; and

3. Evidence that the Common Consumption Area is clearly delineated and continuously maintained using physical barriers to prohibit motor vehicle traffic (except emergency vehicles) and to limit pedestrian access.

(d) A tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant Licensee may request inclusion into the licensed Common Consumption Area by submitting an application to the Liquor Licensing Authority with the following information:

1. Written request and approval from the Promotional Association to allow the Licensee to include within the Common Consumption Area, unless the Promotional Association does not exist, in which case the Licensee shall request authorization from the Promotional Association when it is established and prior to the Licensee's license renewal.

2. Confirmation that the Licensee's licensed premises is located within the Entertainment District and within the Common Consumption Area.

(e) The Local Licensing Authority may reject a Licensee's inclusion in a Common Consumption Area if the licensed premises is not within the Common Consumption Area and if the Licensee:

1. Fails to obtain consent from the Promotional Association to include within the Common Consumption Area;

2. Fails to establish that the licensed premises and Common Consumption Area can be operated without violating this Article or the Common Consumption Law;

3. Creates a public safety risk to the neighborhood in terms of law enforcement call-outs, breaches in securing the perimeter of the Common Consumption Area, unauthorized liquor consumption outside of the Common Consumption Area, noise or nuisance complaints generated from activities within the Common Consumption Area, or similar, documented public safety risks; or

4. Violates Section 12-47-909 of the Colorado Liquor Code.

(f) All renewal applications for Common Consumption Areas shall be submitted to the City Clerk no later than forty-five (45) days prior to the date on which the license expires. If there is evidence that the license should not be renewed, the City Clerk shall set the application for hearing with the Local Licensing Authority.

Sec. 6-207. Promotional Associations.

(a) For certification and re-certification as a Promotional Association, the following information is required to be submitted to the City Clerk in conjunction with or prior to application for establishment of a Common Consumption Area:

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1. Application fee;
2. Copy of articles of incorporation and bylaws;
3. List of names of all directors and officers of the Promotional Association;
4. Confirmation that each licensed establishment within the proposed Common Consumption Area is represented through a director position on the board of the Promotional Association;
5. List of licensed establishments within the Common Consumption Area; and
6. Certificates of general liability and liquor liability insurance are provided in the amounts required under this Article.

(b) The Local Licensing Authority may certify a Promotional Association if the following criteria of approval are met:

1. The annual reporting requirements have been or will be met;
2. Evidence establishes that the Common Consumption Area can be and is operated without violating the Colorado Liquor Code, this Article or other applicable provision of this Code;
3. There are at least two (2) licensed premises within the Common Consumption Area; and
4. The required insurance as set forth in Section 6-207(b)(9) is not provided or continuously maintained.

(c) A Promotional Association shall apply for annual recertification by January 31 of each year on forms prepared and approved by the City Clerk.

(d) The Local Licensing Authority may decertify a Promotional Association subject to the process as provided in Section 12-47-601 of the Colorado Liquor Code.

(e) Operational Requirements of Promotional Associations.

1. The size of the licensed Common Consumption Area shall not be modified except with the approval of the Local Licensing Authority.
2. The Promotional Association shall provide adequate security in terms of personnel, physical barriers, training and similar means, to ensure compliance with the Colorado Liquor Code and to prevent a public safety risk to the neighborhood.
3. The Promotional Association shall post signs at the entrances and exits of the Common Consumption notifying customers of the hours of operation and restrictions associated with the Common Consumption Area.
4. No one shall leave the Common Consumption Area with an unconsumed alcohol beverage.
5. All security personnel must complete a liquor training program approved by the City Clerk prior to staffing the Common Consumption Area.
6. Common Consumption Areas may be operated until 10 p.m. on the days specified in the application. It is unlawful for any Promotional Association to allow consumption of alcohol beverages in the Common Consumption Area after 10 p.m.

Sec. 6-208. Violations.

Noncompliance with any provision of this Article or the Common Consumption Law shall be deemed a violation of this Code. Violations of this Article shall be cause for suspension or revocation of the licensed premises, the Common Consumption Area license or decertification of the Promotional Association and may be subject to other enforcement provisions set forth in this Code.

Sec. 6-209. Fees.

Application, renewal and licensing fees shall be set by resolution of the City Council.

Section 4. Codification Amendments. The codifier of Central City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Central City Municipal Code.

Section 5. 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 6. 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 7. 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 _____, 2012, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Linda C. Michow, 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 _____, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2012.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

**CITY OF CENTRAL, COLORADO
ORDINANCE 12-06**

**AN ORDINANCE 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**

WHEREAS, the City of Central, Colorado is a home rule municipal corporation authorized to adopt ordinances in furtherance of the public health, safety and welfare; and

WHEREAS, the State of Colorado adopted Senate Bill No. 11-273 which authorizes the expanded consumption of alcohol within common areas located within designated entertainment districts that are established by local jurisdictions; and

WHEREAS, the City Council desires to establish an entertainment district for the purposes contemplated by Senate Bill No. 11-273; and

WHEREAS, the City Council proposes an Entertainment District that is less than one hundred acres and has at least twenty thousand square feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant; and

WHEREAS, the City Council wishes to allow common consumption areas within an Entertainment District of the City; and

WHEREAS, the City Council wishes to establish application procedures, fees, and regulations concerning the operation of common consumption areas.

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

Section 1. Section 6-200 of Article VII of Chapter 6, titled "Liquor Licenses" is hereby amended to add the following definitions:

Common Consumption Area means a pedestrian area located wholly within a designated Entertainment District and approved by the Liquor Licensing Authority that uses physical barriers to close the areas to motor vehicle traffic and limit pedestrian access.

Common Consumption Area Law means Sections 12-47-301(11), 12-47-908, 12-47-909 of the Colorado Revised Statutes, as may be amended.

Entertainment District means an area within the City that is designated as an Entertainment District of a size no more than one hundred acres and containing at least twenty thousand square

feet of premises licensed as a tavern, hotel and restaurant, brew pub, or vintner's restaurant at the time the District is created.

Licensee means a person to whom a license is granted by the Local Licensing Authority to manufacture or sell alcohol beverages as provided under the Colorado Liquor Code.

Local Licensing Authority means the City Council of the City of Central.

Promotional Association means an association that is incorporated within Colorado that organizes and promotes entertainment activities within a Common Consumption Area, is organized or authorized by two or more people who own or lease property within an Entertainment District, and is certified by the Local Licensing Authority.

Section 2. Article VII of Chapter 6, titled "Liquor Licenses," is hereby amended to add a new Section 6-204 to allow for administrative approvals of certain applications to read in full as follows:

Sec. 6-204. Administrative Applications.

(a) The following liquor-related applications may be decided by the City Clerk, subject to appeal or referral to the Local Licensing Authority:

1. Transfer of ownership of existing license;
2. Change of corporate structure of existing license;
3. Renewal of existing license;
4. Manager registration for existing license;
5. Special events permit;
6. Change of corporate or trade name permit for existing license;
7. Bed and breakfast permits;
8. Recertification of Promotional Associations; and
9. All other City license-related applications not requiring a public hearing by the Colorado Liquor Code.

(b) The City Clerk may refer to the Local Licensing Authority for a decision regarding any administrative application when, as determined in the discretion of the City Clerk, the public interest would be best served by the determination of the matter by the Local Licensing Authority.

(c) Administrative applications denied by the City Clerk may be appealed to the Local Licensing Authority. Appeals must be submitted in writing to the City Clerk within ten (10) days of denial, and may request a hearing. Appeals to the Local Licensing Authority will be decided de novo.

(d) As authorized pursuant to Section 12-48-107(5) of the Colorado Revised Statutes, approval by the City of a special event permit application shall not require the state's approval or disapproval. Within ten (10) days of issuance of a special event permit, the City Clerk shall

notify the state liquor enforcement division of the name of the organization to which a special event permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

Section 3. Article VII of Chapter 6, titled "Liquor Licenses," is further amended to add the following new sections to allow for the creation of Entertainment Districts and Common Consumption Areas to read in full as follows:

Sec. 6-205. Creation of Entertainment District and General Requirements.

(a) In order to exercise the City's local option to allow Common Consumption Areas in the City and to effectuate the purposes and intent of C.R.S. Section 12-47-301(11), there is hereby established and designated the Central City Entertainment District whose boundaries include all lands, inclusive of rights-of-way, located in the Historic Downtown Gaming and Gregory Gulch Gaming zone districts as such districts' boundaries may be changed. Properties may be included or excluded from the Central City Entertainment District by resolution of the City Council. By establishing the Central City Entertainment District, the City authorizes the licensing of designated Common Consumption Areas in which alcohol beverages may be sold and consumed subject to the requirements of this Article, the Code and the Common Consumption Area Law.

(b) The Local Licensing Authority has the following powers with respect to Common Consumption Areas and Promotional Associations:

1. Designate one or more Common Consumption Areas;
2. Certify or decertify a Promotional Association;
3. Authorize inclusion or exclusion of licensed establishments from a Common Consumption Area;
4. Impose reasonable conditions of approval on the licensing of Common Consumption Areas, certification of Promotional Associations; or the inclusion or exclusion of licensed establishments within the Common Consumption Area; and
5. Exercise all powers necessary to effectuate the purposes of the Common Consumption Area Law.

(c) The standards for Common Consumption Area licenses issued to Promotional Associations shall be in addition to all other standards applicable under this Article, the Code and the Colorado Liquor Code.

(d) Decisions on applications for Common Consumption Areas, Promotional Associations and inclusions and exclusions from the Common Consumption Area shall be made by the Local Licensing Authority within sixty (60) days of receipt of a complete application. A decision to deny any such application by the Local Licensing Authority shall be in writing and shall be provided to the applicant within five (5) business days of the decision.

Sec. 6-206. Common Consumption Areas.

(a) Within the Central City Entertainment District, Common Consumption Areas may be licensed by the Local Licensing Authority upon application by a Promotional Association in conformance with the requirements of this Article and the Colorado Liquor Code.

(b) A Promotional Association may submit an application for the designation of a Common Consumption Area on forms approved by the City Clerk in accordance with the following minimum information:

1. Application and license fees.
2. Name, address and list of all officers of Promotional Association.
3. Documentation of how the application addresses the reasonable requirements of the neighborhood or desires of the adult inhabitants.
4. The size, in terms of acreage or square footage, of the Common Consumption Area; all areas must be contiguous within the Common Consumption Area.
5. Proposed hours, dates and days of operation of the Common Consumption Area.
6. A site plan detailing the proposed Common Consumption Area including the following information: boundaries of the area, location and description of physical barriers, location of all entrances and exits, location of all attached licensed premises, location of signs to be posted notifying customers of the hours of operation and restrictions associated with the Common Consumption Area.
7. A security plan detailing security arrangements for the Common Consumption Area including but not limited to the following information: evidence of completed liquor training of all security personnel approved by the City Clerk, number and location of security personnel during the days and hours of operation of the Common Consumption Area, and evidence of appropriate licensing under Article III, Chapter 6 of this Code;
8. Signed statement that the Common Consumption Area and all licensed establishments therein can be operated in compliance with this Article, all applicable provisions of this Code, and the Colorado Liquor Code;
9. Documentation evidencing legal authorization for use of the Common Consumption Area; and
10. Proof of Insurance of general liability and liquor liability naming the City of Central and its officers and employees as additional insured in a minimum amount of One Million Dollars (\$1,000,000).

(c) An application for establishment of a Common Consumption Area shall be considered at a duly noticed public hearing of the Liquor Licensing Authority based on the following criteria of approval.

1. There must be at least two (2) licensed establishments within the Common Consumption Area;
2. Use of the Common Consumption Area is compatible with the reasonable requirements of the neighborhood or the desires of the adult inhabitants; and

3. Evidence that the Common Consumption Area is clearly delineated and continuously maintained using physical barriers to prohibit motor vehicle traffic (except emergency vehicles) and to limit pedestrian access.

(d) A tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant Licensee may request inclusion into the licensed Common Consumption Area by submitting an application to the Liquor Licensing Authority with the following information:

1. Written request and approval from the Promotional Association to allow the Licensee to include within the Common Consumption Area, unless the Promotional Association does not exist, in which case the Licensee shall request authorization from the Promotional Association when it is established and prior to the Licensee's license renewal.

2. Confirmation that the Licensee's licensed premises is located within the Entertainment District and within the Common Consumption Area.

(e) The Local Licensing Authority may reject a Licensee's inclusion in a Common Consumption Area if the licensed premises is not within the Common Consumption Area and if the Licensee:

1. Fails to obtain consent from the Promotional Association to include within the Common Consumption Area;

2. Fails to establish that the licensed premises and Common Consumption Area can be operated without violating this Article or the Common Consumption Law;

3. Creates a public safety risk to the neighborhood in terms of law enforcement call-outs, breaches in securing the perimeter of the Common Consumption Area, unauthorized liquor consumption outside of the Common Consumption Area, noise or nuisance complaints generated from activities within the Common Consumption Area, or similar, documented public safety risks; or

4. Violates Section 12-47-909 of the Colorado Liquor Code.

(f) All renewal applications for Common Consumption Areas shall be submitted to the City Clerk no later than forty-five (45) days prior to the date on which the license expires. If there is evidence that the license should not be renewed, the City Clerk shall set the application for hearing with the Local Licensing Authority.

Sec. 6-207. Promotional Associations.

(a) For certification and re-certification as a Promotional Association, the following information is required to be submitted to the City Clerk in conjunction with or prior to application for establishment of a Common Consumption Area:

1. Application fee;

2. Copy of articles of incorporation and bylaws;

3. List of names of all directors and officers of the Promotional Association;

4. List of licensed establishments within the Common Consumption Area; and
5. Certificates of general liability and liquor liability insurance are provided in the amounts required under this Article.

(b) The Local Licensing Authority may certify a Promotional Association if the following criteria of approval are met:

1. The annual reporting requirements have been or will be met;
2. Evidence establishes that the Common Consumption Area can be and is operated without violating the Colorado Liquor Code, this Article or other applicable provision of this Code;
3. There are at least two (2) licensed premises within the Common Consumption Area; and
4. The required insurance as set forth in Section 6-207(b)(9) is not provided or continuously maintained.

(c) A Promotional Association shall apply for annual recertification by January 31 of each year on forms prepared and approved by the City Clerk.

(d) The Local Licensing Authority may decertify a Promotional Association subject to the process as provided in Section 12-47-601 of the Colorado Liquor Code.

(e) Operational Requirements of Promotional Associations.

1. The size of the licensed Common Consumption Area shall not be modified except with the approval of the Local Licensing Authority.
2. The Promotional Association shall provide adequate security in terms of personnel, physical barriers, training and similar means, to ensure compliance with the Colorado Liquor Code and to prevent a public safety risk to the neighborhood.
3. The Promotional Association shall post signs at the entrances and exits of the Common Consumption notifying customers of the hours of operation and restrictions associated with the Common Consumption Area.
4. No one shall leave the Common Consumption Area with an unconsumed alcohol beverage.
5. All security personnel must complete a liquor training program approved by the City Clerk prior to staffing the Common Consumption Area.
6. Common Consumption Areas may be operated until 10 p.m. on the days specified in the application. It is unlawful for any Promotional Association to allow consumption of alcohol beverages in the Common Consumption Area after 10 p.m.

Sec. 6-208. Violations.

Noncompliance with any provision of this Article or the Common Consumption Law shall be deemed a violation of this Code. Violations of this Article shall be cause for suspension or revocation of the licensed premises, the Common Consumption Area license or decertification of

the Promotional Association and may be subject to other enforcement provisions set forth in this Code.

Sec. 6-209. Fees.

Application, renewal and licensing fees shall be set by resolution of the City Council.

Section 4. Codification Amendments. The codifier of Central City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Central City Municipal Code.

Section 5. 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 6. 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 7. 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 5th day of June, 2012, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Linda C. Michow, 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 27th day of June, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on _____, 2012.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk



AGENDA ITEM # 11

CITY COUNCIL COMMUNICATION FORM

FROM: Greg Thompson, CDD/HPO

DATE: June 27, 2012

ITEM: Ord 12-07 - Sound Amplification Program

NEXT STEP: Review and Render a Decision on the Proposed Ordinance

X ORDINANCE
MOTION
INFORMATION

I. REQUEST OR ISSUE:

At the June 5, 2012 Council meeting, City Council introduced an ordinance to permit sound amplification permits in the gaming zone districts. On first reading, Council determined one sound amplification permit would be appropriate to permit each year in the Historic Downtown Gaming zone and one in the Gregory Gulch Gaming zone. Council also determined allowing the music to occur from 10 a.m. to 10 p.m. every day was the most appropriate time period.

Code changes to Section 10-134 and 16-193 are designed to implement the code adjustment to allow sound amplification permits (see attached). Section 10-134 allows the sound amplification to occur in the Historic Downtown Gaming and Gregory Gulch Gaming zones. Section 16-193 provides process and procedure to allow the use. This is the second reading of this ordinance before City Council.

II. RECOMMENDED ACTION / NEXT STEP:

Review and approve Ordinance 12-07 on second reading, taking into consideration any public testimony and the recommendation of the Planning Commission.

III. FISCAL IMPACTS:

No financial impacts to the City are anticipated.

IV. BACKGROUND INFORMATION:

Planning Commission reviewed the proposed ordinance and recommended approval. During the discussion, they had a variety of questions, including how complaints would be handled and whether other locations in the HDG zone could be included.

V. LEGAL ISSUES:

Ordinance change required to permit this use. The attached ordinance accomplishes this goal.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

VII. SUMMARY AND ALTERNATIVES:

1. Approve Ordinance 12-07 as written.
2. Direct staff to make revisions to the Ordinance and schedule consideration of the Ordinances on a future City Council agenda for second reading; or
3. Deny the proposed Ordinance.

**CITY OF CENTRAL, COLORADO
ORDINANCE 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) AND GREGORY GULCH GAMING (GGG)
ZONING DISTRICTS WITHIN ARTICLE VII OF CHAPTER 16 OF THE
MUNICIPAL CODE**

WHEREAS, the City of Central is a home rule municipality that is authorized, pursuant to its Home Rule Charter, the Colorado Constitution and state law, to adopt ordinances in furtherance of the health, safety and welfare of the City's inhabitants; and

WHEREAS, the City has previously adopted regulations pertaining to offenses against the public peace, as codified in Article VI of Chapter 10 of the Central City Municipal Code; and

WHEREAS, Section 10-134 of the Code currently prohibits the use of any loudspeaker, public address system or other electrically amplified sound equipment within any commercial or gaming zoning district of the City; and

WHEREAS, the City desires to allow sound amplification within the Historic Downtown Gaming ("HDG") and Gregory Gulch Gaming ("GGG") zoning districts in limited circumstances subject to a permit requirement; and

WHEREAS, the City Council desires to amend the Municipal Code in order to allow sound-amplification equipment within the HDG and GGG zoning districts.

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

Section 1. Amendment of Section 10-134(a)(1). Section 10-134(a)(1) of Article VI of Chapter 10 is hereby repealed and replaced in its entirety to read as set forth below:

(1) Commercial and gaming districts. Within any commercial or gaming zoning district of the City, the use or operation of any loudspeaker, public address system or other electrically amplified sound equipment within a building or outside of a building if the sound resulting from such operation is clearly audible from the property boundary or from any public street or right-of-way, unless the use of or operation of the loudspeaker, public address system, or other electrically amplified sound equipment is within the Historic Downtown Gaming (HDG) or the Gregory Gulch Gaming (GGG) Zoning Districts of the City and the use of such equipment has been permitted by the City in accordance with Section 16-193 of this Code.

Section 2. Section 16-193 of Article VII of Chapter 16, currently titled “Reserved” is hereby repealed and replaced with a new Section 16-193 entitled “Sound Amplification Equipment in HDG or GGG Zoning Districts” to read in its entirety as set forth below:

Sec. 16-193. Sound Amplification Equipment in HDG or GGG Zoning Districts.

(a) As used in this Section, “sound-amplification equipment” means any loudspeaker, public address system or other electrically amplified sound equipment used for the amplification of the human voice or music which is clearly audible from the property boundary or any public street or right-of-way.

(b) It shall be unlawful for any person to use or cause to be used any sound-amplification equipment in the Historic Downtown Gaming (HDG) or the Gregory Gulch Gaming (GGG) zoning districts without first having applied for and obtained a sound amplification permit from the City as provided in this Section.

(c) There shall be a maximum of one (1) sound-amplification permit issued within each of the HDG and GGG zoning districts per calendar year. The maximum number of permits issued per calendar year may be adjusted by resolution of City Council, following a public hearing thereon.

(d) Nothing in this Section shall be construed to authorize or permit the use of sound-amplification equipment within any other zoning district of the City.

(e) Applications for permits for the use of sound-amplification equipment and applications for permit renewals shall be filed with the City Clerk on forms supplied by the City. Application fees and renewal fees shall be established by resolution of the City Council.

(f) Each permit application filed with the City Clerk shall contain the following information:

- (1) The name, home address, telephone number and email address of the applicant;
- (2) The business address of the applicant (if applicable);
- (3) The address(es) or location(s) where the sound-amplification equipment is proposed to be used;
- (4) If applicable, the written consent of the property owner(s) of the location(s) where the sound-amplification equipment is proposed to be used, consenting to the placement or installation of the sound-amplification equipment;
- (5) A general description of the sound-amplification equipment proposed to be used;
- (6) The maximum sound-producing power of the sound-amplification equipment to be used, including the wattage to be used, the volume in decibels of the sound which will be produced, and the approximate maximum distance (in feet) sound will be projected from

the sound-amplification equipment;

(7) The name, address, telephone number and email address of the person who will have direct charge of the sound-amplification equipment;

(8) The purpose for which the sound-amplification equipment will be used;

(9) The proposed hours of operation of the sound-amplification equipment;

(10) The number of days of proposed operation of the sound-amplification equipment;
and

(11) Other relevant information concerning the proposed sound-amplification equipment, process, and/or event(s) for which the sound-amplification equipment will be used.

(g) Each permit renewal application shall contain the information requested on the forms supplied by the City.

(h) Upon receiving a completed application for a permit or permit renewal for the use of sound-amplification equipment, the City Clerk shall refer the application to the Community Development Director or his or her designee, and the City shall thereafter conduct an investigation, and shall approve or conditionally approve the application for a permit or permit renewal if it is determined that all the requirements of this Section are met, and if it appears from the information contained in the application and such supplemental information as may be presented to or obtained by the Community Development Director during the course of the investigation that the proposed use of the sound-amplification equipment complies with the regulations contained in this Section. Each permit or permit renewal issued shall be nontransferable and valid for the period of time set forth on the face of the permit, not to exceed a period terminating on the last day of the calendar year in which the permit or permit renewal is conditionally approved by the Community Development Director.

(i) In granting a permit or permit renewal, the Community Development Director shall specify the hours during which the sound-amplification equipment may be used after considering the needs of the applicant, the area or areas in which the sound will be emitted, and the effects of such use on the public health, safety and welfare. In no event shall any permit or permit renewal issued by the Community Development Director authorize the use of sound-amplification equipment past 10:00 p.m. or before 10:00 a.m. in the HDG or GGG zoning districts.

(1) The Community Development Director may attach such other reasonable conditions on the use of the sound-amplification equipment as may reduce friction among competing uses within the zoning district in which the permit is to be issued, or will otherwise serve the purposes of this Section.

(2) Upon issuance, the permit shall be valid only for the period and location(s) specified in the permit.

(j) An applicant may appeal the Community Development Director's denial of a permit to the City Manager. The appeal shall be made in writing, stating the grounds for appeal, within five (5) working days following the decision of the Community Development Director. The City Manager shall issue a written decision regarding the appeal within ten (10) working days following the date on which the applicant's written appeal is received by the City Manager, and a copy of such written decision shall be provided to the applicant.

(k) The use of sound-amplification equipment in the City shall be subject to the following regulations:

- (1) The only sounds permitted are music and/or human speech;
- (2) The human speech and/or music amplified shall not be profane, lewd or slanderous;
- (3) The volume of amplified sound shall not exceed the maximum permissible noise levels set forth in Section 7-61 of Chapter 7 of this Code; and
- (4) The sound amplification equipment shall not be used between the hours of 10:00 p.m. and 10:00 a.m.

(l) The Community Development Director may revoke or fail to renew any permit issued pursuant to this Section on any of the following grounds:

- (1) The sound-amplification equipment has been used contrary to the regulations contained in this Section or the terms of the permit;
- (2) The applicant has made a misrepresentation of a material fact in the application;
- (3) The use of the sound-amplification equipment results in traffic congestion, or threatens public health, safety or welfare; or
- (4) The volume of amplified sound has exceeded the maximum permissible noise levels set forth in Section 7-61 of Chapter 7 of this Code.

(m) Notice of the revocation or non-renewal shall specify the effective date of the revocation or non-renewal, which shall be no less than fifteen (15) calendar days following the date of notice, and a copy of the notice of revocation or non-renewal shall be given to the permit holder in writing. If the notice is personally served upon the permit holder, it shall be effective immediately upon service. If the notice of revocation or non-renewal is delivered by mailing, it shall be effective on the third day following the deposit of the notice in the United States mail. The permit holder may appeal the action of the Community Development Director to the City Manager by filing a notice of appeal with the City Clerk within five (5) calendar days after the effective date of the revocation or non-renewal. The City Manager shall issue a written decision regarding the appeal within ten (10) working days following the date on which the written appeal is received by the City Manager, and a copy of such written decision shall be provided to the

permit holder. If a notice of appeal is not filed within the five (5) day period, the revocation or non-renewal shall become final.

Secs. 16-194 – 16-210. Reserved.

Section 3. Codification Amendments. The codifier of Central City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Central City Municipal Code.

Section 4. 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 5. 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 6. 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 5th day of June, 2012, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Linda C. Michow, 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 27th day of June, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on June 14,, 2012.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on July 5, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk



AGENDA ITEM # 12

CITY COUNCIL COMMUNICATION FORM

FROM: Alan Lanning, City Manager

DATE: 06/27/2012

ITEM: Appointment of City Judge

NEXT STEP: Council Motion

ORDINANCE
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

As approved at the last Council meeting, we are now ratifying the appointment of Judge Gloss as the City Judge, by resolution, which is attached.

II. RECOMMENDED ACTION / NEXT STEP:

Our recommendation is a Council motion to approve the attached resolution.

III. FISCAL IMPACTS:

The total fiscal impact is \$8,400 annually at \$700/month. Funds are available.

IV. BACKGROUND INFORMATION:

After an extensive process of in-person observation of court proceedings and a round of interviews of all candidates, the Council unanimously approved Judge Gloss to be the next municipal judge. The Council made a verbal appointment at the June 2, 2012 meeting and now confirms that appointment by resolution.

V. **LEGAL ISSUES:**

None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:**

None.

VII. **SUMMARY AND ALTERNATIVES:**

Council may take one of the following actions:

1. Approve the resolution as requested.
2. Reject the resolution as written.
3. Direct staff to pursue an alternative approach.

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 12-09**

**A RESOLUTION APPOINTING THE MUNICIPAL JUDGE AND
SETTING THE TERM AND COMPENSATION FOR SERVICE**

WHEREAS, the City is authorized by Section 13-10-105, C.R.S. and Section 8.2 of the Home Rule Charter to appoint a Municipal Judge to preside over the City of Central Municipal Court; and

WHEREAS, by unanimous vote of the City Council on June 5, 2012, the City Council appointed David R. Gloss as the Municipal Judge to preside over the Municipal Court; and

WHEREAS, the initial term of appointment shall be effective as of June 5, 2012 through January 31, 2014 with eligibility for renewal of additional two (2) year terms thereafter.

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

Section 1. **Appointment.** The City Council hereby appoints David R. Gloss as the Central City Municipal Judge effective June 5, 2012. Compensation shall be fixed at Seven Hundred Dollars (\$700.00) per month.

Section 2. **Term.** The initial term of appointment shall expire on January 31, 2014; thereafter the term of appointment shall be two (2) years.

Section 3. **Removal.** In accordance with Section 13-10-105(1)(c), C.R.S., and Section 8.2(c) of the Home Rule Charter, removal of the Municipal Judge is only permitted for "cause" as defined in state statute.

Section 4. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 27th DAY OF JUNE, 2012.

CITY OF CENTRAL, COLORADO

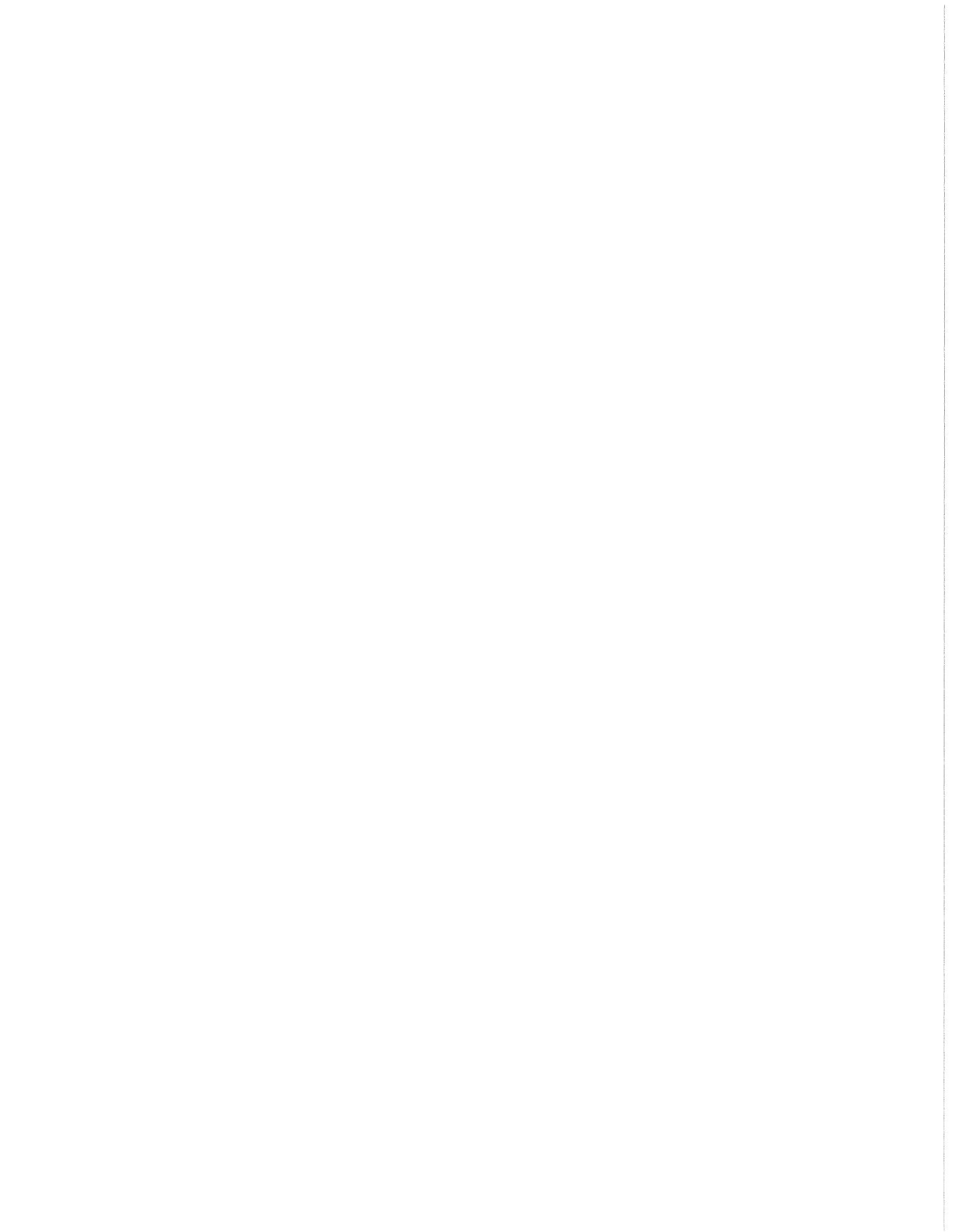
By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Linda C. Michow, City Attorney





AGENDA ITEM # 13

CITY COUNCIL COMMUNICATION FORM

FROM: Reba Bechtel, City Clerk

DATE: June 27, 2012

ITEM: Resolution No. 12-10: A resolution of the City Council of the City of Central amending the City of Central Comprehensive Fee Schedule.

NEXT STEP: Introduce Resolution No. 12-10: A resolution of the City Council of the City of Central amending the City of Central Comprehensive Fee Schedule.

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** The proposed resolution amending the comprehensive fee schedule to add fees for the Common Consumption Area and Promotional Association certification. The same as Greeley has approved.
- II. **RECOMMENDED ACTION / NEXT STEP:** Introduce Resolution No. 12-10.
- III. **FISCAL IMPACTS:** Common Consumption Areas: Application fee \$500; License fee \$150; Renewals/Inclusions/Exclusions \$125. Promotional Association: Certification \$100; Recertification \$50
- IV. **BACKGROUND INFORMATION:** Setting fees related to Ordinance No. 12-06.
- V. **LEGAL ISSUES:** None
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None
- VII. **SUMMARY AND ALTERNATIVES:**
Council may take one of the following actions:
1. Approve the proposed resolution.
2. Amend the proposed resolution.

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 12-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CENTRAL, COLORADO AMENDING THE CITY OF CENTRAL
COMPREHENSIVE FEE SCHEDULE**

WHEREAS, the City of Central is authorized under its Home Rule Charter and Article 15 of Title 31 of the Colorado Revised Statutes to exercise its general police and financial powers, including but not limited to the ability to impose and collect fees for the processing of licenses, applications, and performance of other administrative services; and

WHEREAS, by Ordinance No. 09-14, the City of Central (“City”) City Council adopted a comprehensive fee schedule, which may be amended by resolution of the City Council; and

WHEREAS, the City Council desires to add certain administrative fees associated with the establishment of common consumption areas and certification of promotional associations as indicated in the Fee Schedule attached hereto and incorporated herein as **Exhibit A**.

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

Section 1. Comprehensive Fee Schedule. The City Council hereby amends and readopts the City of Central Comprehensive Fee Schedule, attached hereto and incorporated herein as **Exhibit A**, to add administrative fees associated with common consumption areas and promotional associations as authorized via Ordinance No. 12-06.

Section 2. Severability. If any portion of this Resolution is found to be void or ineffective, it shall be deemed severed from this Resolution and the remaining provisions shall remain valid and in full force and effect.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption whereupon City staff is directed to take all steps necessary to implement said fee schedule.

ADOPTED THIS 27th DAY OF JUNE, 2012.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

By: _____
Reba Bechtel, City Clerk

APPROVED TO FORM:

By: _____
Linda C. Michow, City Attorney

EXHIBIT A
COMPREHENSIVE FEE SCHEDULE

**CITY OF CENTRAL
FEE SCHEDULE**

Type	Notes/Sub-Categories	Municipal Code Reference	Fee
Access Permit (Parkway)	Consultant Reimbursement Agreement Required	Sec. 8-155	\$300.00
Alarm Permit	Annual permit fee	Sec. 6-24	\$25.00
Alarms, False, Excessive	Fee increases based on # of false alarms	Sec. 6-29	\$50/\$100
Annexation Application	Consultant Reimbursement Agreement Required	Sec. 15-3	\$500.00 + \$10/Acre
Animal License	Spayed / Neutered Non- Spayed / Neutered	Sec. 7-123	\$8.00 \$16.00
Appeals	Building Code Historic Preservation Land Use Code Sign Code	Secs. 14-84;16-307-309; 18-123; Article VII, Chapter 16; Chapter 18	\$50.00 + Consult Cost \$100 + Consult Cost \$50.00 + Legal Costs \$50.00
Audited Financial Statements	Available on City Website	N/A	.25¢ / pg
Budget, Annual	Available on City Website	N/A	.25¢ / pg
Business License		Sec. 6-1	\$25.00 New \$15 Renewal
CD/Tape Duplication	Per CD/cassette	N/A	\$25
Code Copies, Municipal (On Website for Free)	Municipal Land Use Sign Code Subdivision All Other Chapters	N/A	\$100 \$25.00 \$25.00 \$25.00 \$25.00
Certification of Documents		N/A	\$5.00
Common Consumption Areas	Application fee	Sec. 6-206	\$500.00
	License fee	Sec. 6-206	\$150.00
	Renewals/Inclusions/Exclusions	Sec. 6-206	\$125.00
Contractors License	Builder's A Builder's B Builder's C Plumber's A Plumber's B Plumber's C Heating A Heating B Appliance Gas Filter Masonry Concrete Form Warm Air Heating & Ventilation House Mover Wrecking Excavating Special Contractor	Sec. 6-113	\$150.00 \$100.00 \$50.00 \$100.00 \$75.00 \$50.00 \$100.00 \$75.00 \$75.00 \$50.00 \$75.00 \$75.00 \$75.00 \$75.00 \$75.00 \$50.00 \$50.00 \$50.00

**CITY OF CENTRAL
FEE SCHEDULE**

Type	Notes/Sub-Categories	Municipal Code Reference	Fee
Copies of Documents	Letter, Legal 8.5 x 11; 8.5x14 Ledger 8.5 x 17 18 x 24 24 x 36 Color Copies	N/A	.25¢ / pg \$1.50 / pg \$3.25 / pg \$5.50 / pg Add \$1.00
Demolition/Relocation of Historic Structure		Sec. 18-117	\$500.00
Land Use Code Schedule of Fees	Amendments to Code by public Certificate of Appropriateness PUD Final PUD Preliminary Re-Zoning Amendment Ridgeline Development OD Special Review Use Variance	Sec. 16-7	\$100.00 \$500.00 \$500.00 \$50.00 \$500.00 \$500.00 None \$100.00
Medical Marijuana Businesses	New License Application Renewal License Transfer of Ownership	Sec. 6-307	\$2,000 \$1,200 \$1,200
Model Traffic Code	Online @ www.dot.state.co.us	N/A	
Notary Services	Residents/ Local Businesses Non-residents/commercial	N/A	No Charge \$5.00
Pawnbroker License	New License Application Annual Renewal Manager Registration Fee Ownership Change of Corporate Structure Change of Location	Sec. 6-177	\$500.00 \$3,000.00 \$1,200.00 \$185.00 \$125.00
Promotional Association	Certification Recertification	Chapter 6, Article IX	\$100.00 \$50.00
Sales Tax License		Secs. 4-42; 4-43	\$10.00 New \$10.00 Renewal
Sign Permit Fee		Sec. 14-16	\$25.00
Special Event Permits	Events, Parades (more than 20 participants)	Sec. 11-154	\$75.00
Street Closure Permit		Chapter 11	\$25.00
Street Cut Permit	Street Cut Permit (Public ROW) Excavation in asphalt or concrete Excavation in gravel Excavation in dirt	Sec. 11-73	\$50.00 \$25/sq yd \$7/sq yd \$1/sq yd
Subdivision Schedule of Fees	Minor Subdivision Re-Subdivision Lot Line Adjustment Re-Subdivision Lot Consolidation Major Subdivision (Pre & Final)	Sec. 17-6	\$250.00 \$150.00 \$150.00 \$1,000.00
Water Service Lateral Inspection		Sec. 13-27	\$35.00
Water Service On/Off Fee		Sec. 13-13	\$25.00
Water Tap Fees / Plant Investment Fees (See	3/4" Tap 1" Tap 1 1/2" Tap	Ord. 04-06; Sec. 13-28	\$10,705.00 \$21,410.00 \$42,820.00

**CITY OF CENTRAL
FEE SCHEDULE**

Ordinance 04-06 for more details)	2" Tap	\$85,640.00
	3" Tap	\$171,280.00
	4" Tap	\$342,560.00
	6" Tap	\$551,178.00
	Per Hotel Room	\$4,612.08
	Per Device	\$553.45





AGENDA ITEM # 15

CITY COUNCIL COMMUNICATION FORM

FROM: Linda C. Michow, City Attorney

DATE: June 19, 2012

ITEM: City Manager Contract Amendment

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** 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:

6. **Availability.** ~~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.~~

A copy of the Amendment is attached to this memorandum.

- II. **RECOMMENDED ACTION / NEXT STEP:** The Amendment reflects previous Council discussion. If approved, there is no further Council action necessary.
- III. **FISCAL IMPACTS:** None.
- IV. **BACKGROUND INFORMATION:** See I., Request or Issue, above.
- V. **LEGAL ISSUES:** None.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

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

1. Retain the current Agreement, as is, with no amendments; OR
2. Amend the Agreement as proposed; OR
3. Amend the Agreement with additional revisions, subject to further negotiations with Mr. Lanning.

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to Employment Agreement (the “Third Amendment”) is entered into by and between the City of Central, Colorado, a home rule municipality (“Central City” or “the City”), and Alan Lanning, an individual (“City Manager”) (collectively the “Parties”).

I. The City Council previously entered into an employment agreement with Alan Lanning to serve as the City Manager, effective as of August 2, 2010, as amended by a First Amendment and Second Amendment (Collectively, the “Agreement”).

II. The City and City Manager desire to amend the Agreement in accordance with the terms of this Third Amendment.

Paragraph 6, titled “Availability”, is amended to read as follows:

6. 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.

Except as amended by this Third Amendment, the terms of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]

DATE: June 20, 2012

TO: Alan Lanning, City Manager
Mayor & Council

FROM: Shannon Flowers, Finance Director/Treasurer

Following is an update of the Finance Department's activities for the weeks of Thursday, May 31, 2012 through Wednesday, June 20, 2012. I will be in the office 8 a.m. to 5:00 p.m. Monday through Friday. The Finance Clerk will be in the office Monday and Friday from 8:00 a.m. to 4:30 p.m. and Tuesday and Thursday from 8:00 a.m. to 12:00 p.m.

- Completed May Bank Reconciliation
- Prepared May Revenue & Expense Report
- Continued review of Chapter 13-Utility code revisions as proposed by City Attorney with Operations Director
- Held Insurance meeting for employees for Open Enrollment
- Attended meeting with Central City Opera and Gilpin County Historical Society regarding tours of Opera House during the Opera season
- Reconciled Miscellaneous Revenues
- Re-allocated accounting system coding to reflect new bank account with Colorado Business Bank
- Assisted Operations Director with personnel matters
- Executed paperwork for Council Approved truck for PW Department
- Worked with Mike Shaw auto regarding financing for PD vehicles
- Prepared check listing for Council
- Processed Bi-weekly payroll and all associated tax and retirement filings
- Finance Clerk Processed Accounts Payable
- Finance Clerk processed Accounts Receivable and prepared weekly deposits
- Finance Clerk administered Court

City Clerk's Office

To: City Manager Alan Lanning, Mayor Engels, and City Council

From: Reba Bechtel, City Clerk

Date: June 27, 2012

Re: Bi-weekly Report

- Council minutes from June 5 completed
- Packet prep for the June 27 meeting
- Packet prep for special PC, attended meeting, and prepared minutes
- Packet prep for June HPC, attended meeting, and prepared minutes
- Worked with applicants on Special Event applications

- Ongoing: Business license: Processing new applications
Contractor license: Processing new application
Records room work

Memo

To: Mayor, City Council, and City Manager
From: Greg Thompson, Community Development Director
Subject: Community Development Department Bi-Weekly summary
Date: June 27, 2012

The Community Development Department/Historic Preservation Office took the following actions and participated in the following events since the last summary was created:

1. Talked with a variety of citizens about their property and what they can do with it.
2. Discussed Parkway lighting options with Ennovate. The new "sample" was installed on the first uphill turn on June 21.
3. Helped a variety of grant recipients get their building permits and through their process.
4. Held an Historic Preservation Commission meeting where the following items were reviewed and approved:
 - a) 345 Spring Street deck and ramp addition
 - b) 203 Eureka Street - Gilpin County Offices Stair Changes
 - c) 132 Casey street - Wrought Iron Fence in front yard
 - d) 118-122 Lawrence Street - Granite Building Sign Addition
 - e) 118-122 Lawrence Street - Window/Door Treatment Changes
5. Held a Planning Commission meeting where the proposed Sound Amplification ordinance was reviewed and recommended for approval. They also informally reviewed and discussed the two proposed parking garage locations.
6. Received approval to install banners on the side of the Scarlet building.
7. Gilpin County Schools artwork should be going into the windows of the Scarlet building this week!
8. Met with state mined land reclamation personnel to remove the Boodle Mill from the State list of "operating" mills.
9. Began pursuing a GOCO planning grant which would provide funding for a grant to create a Johnson Reservoir Park Master Plan.
10. Attended an Xcel light pole seminar by phone. They are implementing new policies that affect our flags, banners, and flower baskets.
11. Offered some updates and changes to the City's website, which is an ongoing process.
12. Along with others, met with the Parkway bondholders.
13. Identified and passed along electrical improvements needed in Washington Hall.
14. Worked with people interested in opening a bbq joint in town.
15. Ate lunch at the end of the longest wooden pier on the US west coast.

MEMORANDUM

DATE: 14 June 2012
TO: Alan Lanning / City Manager
FROM: Gary Allen / Fire Chief
RE: **Activity Report**

The Fire Department has responded to 145 incidents as of 13 June 2012, with 34 incidents being out of city, and of those 9 incidents was for Mutual Aid to other agencies. Following are the activities the department responded to and conducted for this reporting period.

Friday 1 June, 2012 - 09:06 AM / Medical

Friday 1 June, 2012 - 09:45 AM / Medical

*Friday 1 June, 2012 - 15:08 PM / Medical

*Saturday 2 June, 2012 - 16:26 PM / Smoke Investigation – Wildland

Sunday 3 June, 2012 - 12:09 PM / Alarm

Wednesday 6 June, 2012 - 21:29 PM / Fire Alarm

Thursday 7 June, 2012 - 10:49 AM / Medical

Thursday 7 June, 2012 - 17:41 PM / Medical

Friday 8 June, 2012 - 13:16 PM / Fire Alarm

Friday 8 June, 2012 - 15:09 PM / Medical

Saturday 9 June, 2012 - 09:25 AM / Medical

Saturday 9 June, 2012 - 13:58 PM / Medical

*Saturday 9 June, 2012 - 21:30 PM / Fire Investigation (Wildland)

*Monday 11 June, 2012 - 16:07 PM / Structure Fire – Mutual Aid / CCFA

We conducted 3 more Wildland pack tests this period. I sat through webinar training through CIRSA on Managing Risks of Volunteers and worked on

renewing our two-way radio license through FCC and Talbot Communications. We also learned that our other local government radio license had expired and we had to work on that one real quick as it expired a few months ago and no one caught it until we were working on my fire channel. Began work on the AFG Grant which opens on 11 June, 2012. And I conducted an RT-130 Wildland Refresher for a Firefighter that missed the regular one.

We conducted monthly truck and station maintenance at station 1 and conducted regular department training on Low Angle Rope Rescue. We hosted an Instructor Methodology class for Fire instructor I this period and had participants from our agency Berthoud, Loveland, Littleton, Leadville – Lake County and Thornton. This was a 2 day class on a Saturday and Sunday. We picked up Pumper 11 from Front Range Fire Apparatus in Fredrick from being repaired and yearly service and pump tests conducted.

I conducted a re-inspection at the new coffee shop at 125 Main Street for their Certificate of Occupancy. I reviewed sprinkler plans for Johnny Z's new addition. I worked on NFIRS, reports and an inventory of rolling stock and equipment for the fire department take over to Timberline.

We have a few people up in Larimer County at the High Park Fire. They have said it is an amazing fire and it will not give up. Their deployments will more than likely be a minimum of 14 days, we have no apparatus up there at this time, however Ft Collins / USFS dispatch has called and asked if we have certain types of apparatus available.

The structure fire we assisted Clear Creek Fire on was a 12 unit condominium on the west side of Georgetown Lake. The fire consumed 6 of the 12 units, but without them having a Ladder Truck the entire building would have been lost as all 6 were involved upon their arrival. We were able to perform an elevated master stream attack and shoot water into each unit and onto the roof and knock down the flames before a great deal of damage was done. This allowed our Firefighters to conduct an interior attack with hand lines in a much safer environment. The building is still structurally sound and NO one was injured. This structure is identical to our buildings in Gold Mountain Village and Prospector's Run. This was another fire that just drove the point home on how important it is to have a Ladder truck within our jurisdiction as required by ISO.