

CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, August 2, 2016 @ 5:30 p.m.
141 Nevada Street, Central City, Colorado
AGENDA

The City Council meeting packets are prepared several days prior to the meetings and available for public inspection at City Hall during normal business hours the Monday prior to the meeting. This information is reviewed and studied by the City Council members, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. Agendas are posted on the City's website, the City Hall bulletin board and at the Post Office the Friday prior to the Council meeting.

5:30pm Council Meeting

1. Call to Order.
2. Roll Call.

Mayor	Ron Engels
Mayor Pro-Tem	Kathy Heider
Council members	Shirley Voorhies
	Judy Laratta
	Jeff Aiken

EXECUTIVE SESSIONS (to be held at 5:30pm in lieu of the Work Session) – Pursuant to C.R.S. 24-6-402(4)(b) and (4)(e) to discuss specific legal questions and to instruct negotiators concerning pending water rights cases concerning the City of Central, specifically including Case No. 10CW54.

Pursuant to C.R.S. Section 24-6-402(4)(b) for legal advice on specific legal questions related to a complaint filed with City Council (sitting as the Board of Ethics) pursuant to Article IV or Chapter 2 of the Municipal Code.

Pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations; to develop strategy for negotiations and to instruct negotiators regarding letter of intent to lease certain City-owned property.

RECONVENE REGULAR MEETING – 7:00pm

3. Pledge of Allegiance
4. Additions and/or Amendments to the Agenda.
5. Conflict of Interest.
6. Consent Agenda: The Consent Agenda contains items that can be decided without discussion. Any Council member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under Action items in the order they appear on the agenda (this should be done prior to the motion to approve the consent agenda).

Regular Bill lists through July 21; and
City Council minutes: July 12, 2016.

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.

CONVENE AS BOARD OF ETHICS –

Discussion of Complaint dated July 8, 2016 submitted to the City Council sitting as the Board of Ethics. (McAskin)

ACTION ITEMS: NEW BUSINESS –

7. Resolution No. 16-14: A resolution of the City Council of the City of Central, Colorado authorizing the City Manager to post traffic control signs and take all necessary and proper steps to restrict vehicular traffic on Leavitt Street (Miera)
8. Resolution No. 16-21: A resolution of the City Council of the City of Central, memorializing the acquisition of the Belvidere Theatre by the City of Central. (Rears)

REPORTS –

9. 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 August 16, 2016.

Posted 7/28/2016

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.

Check Issue Date	Check Number	Payee	Description	Amount
07/21/2016	131541	AIRGAS USA LLC	Welding Gas Materials	105.59
07/21/2016	131542	Bobcat of the Rockies	Planer and Sweeper rental	4,659.17
07/21/2016	131543	Broomfield Sign Company	Instaliation of Solar Lighting- 2nd pmt	1,313.41
07/21/2016	131544	COLORADO BARRICADE	Parkway Striping	31,000.00
07/21/2016	131545	Creative Chocolate Company	Colorado Mtns Tablets	270.00
07/21/2016	131546	DANA KEPNER CO.	3/4" LL SRII,DR, CI BTM	129.84
07/21/2016	131547	DE LAGE LANDEN	Printer Lease for Savin	353.34
07/21/2016	131548	DEERE CREDIT INC	Loader Lease	2,766.86
07/21/2016	131549	Digital Data Services, Inc	Central City Geocortex,utility codes,floo	642.50
07/21/2016	131550	Foothills Auto and Truck Parts	CAP - on inv#381910	632.51
07/21/2016	131551	GILPIN COUNTY ARTS ASSOCIATION	Items sold May 1 to July 8, 2016	289.50
07/21/2016	131552	GILPIN COUNTY SHERIFFS OFFICE	Sheriff Billing - Deputies	17,027.85
07/21/2016	131553	JVA INCORPORATED	Parkway Access Feasibility Study	1,694.55
07/21/2016	131554	LaNora Branning	1st Place Char-ity Event-the Prayer Ch	500.00
07/21/2016	131555	MED-TECH RESOURCE INC.	QuickClot Combat Gauze	81.32
07/21/2016	131556	NALCO CHEMICAL CO.	Ultron# 8157	2,764.50
07/21/2016	131557	PROSPECTORS RUN HOA	2nd Place Char-ity Event-Miner's Chair	200.00
07/21/2016	131558	Robert & LaVada Brandstetter	3rd Place Char-ity Event - The Throne	100.00
07/21/2016	131559	SGS Accutest Inc.	State Forms - Drinking water	148.00
07/21/2016	131560	SLEUTH SOFTWARE	Annual Sleuth Maintenance	1,788.00
07/21/2016	131561	SNAP-ON TOOLS	Screwdriver set, 4 pc elec long esd	67.50
07/21/2016	131562	SPRINT	Long Distance	13.58
07/21/2016	131563	STANLEY CONVERGENT SECURITY	Intrusion Alarm Monitoring	513.51
07/21/2016	131564	UMB BANK NA	Current Period Fees	1,500.00
07/21/2016	131565	UNION MEDICAL	Physicals & Drug Screens	770.00
07/21/2016	131566	WASTE MANAGEMENT OF DENVER	Roll off	1,466.92
07/21/2016	131567	XCEL ENERGY	601 Lake Gulch Rd	5,755.94
07/21/2016	131568	YESCO	Maintenance Agreement	95.00
07/21/2016	131569	Dylan McCarthy	3 hours Live Music @Beat the Heat	700.00
Grand Totals:				<u>77,349.39</u>

**CITY OF CENTRAL
CITY COUNCIL MEETING
July 12, 2016**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on July 12, 2016.

ROLL CALL

Present: Mayor Engels
Mayor *pro tem* Heider
Alderman Voorhies
Alderman Laratta
Alderman Aiken

Absent: None

Staff Present: City Manager Miera
City Clerk Bechtel
Attorney McAskin
Finance Director Adame
Community Development Director Rears
Public Utilities Director Nelson
Fire Chief Allen
Acting Police Chief Stanton

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

Mayor *pro tem* Heider moved to approve the consent agenda containing the regular bill lists through July 1, and the City Council minutes for the meeting on June 19, 2016. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

PUBLICFORUM/AUDIENCEPARTICIPATION

No one requested time to address the Council.

ACTION ITEMS: NEW BUSINESS

AR 16-01: Administrative Re-plat Central City Lot, Block 1, Lot 11-16 and a portion of Lot 17 Goltra Property

Community Development Director Rears gave the background as follows: after working with the applicant's attorney, the legal description is more complex than first described during the review and City Council approval on May 17, 2016, which includes Central City, Block 1, Lots 11-16 and a portion of lot 17 as described in the attached plat.

The applicant, Carolyn Goltra, Manager for Central City LLC, A Delaware Limited Liability Corporation is requested Central City, Block 1, Lots 11-16 and a portion of 17 be consolidated into one parcel referred to as Central City, Block 1, Lot 11A totally 0.2951 acres. The subject parcels are located at the former Doc Holiday's Casino along Main Street in which the applicant owns. The applicant feels that a consolidation of lots will have a benefit to marketing the property for future development. Therefore, given the request is minor in nature, the full subdivision and platting process is not required so this request was reviewed as an administrative replat as authorized by Sec. 17-2-20 (c) Administrative replat. A subdivision that proposed to adjust lot lines or consolidate lots into fewer lots without a companion PUD application shall be reviewed through an abbreviated review process by the Zoning Administrator and City Council.

A full plat has been prepared for signatures which will be recorded following the meeting along with a deed referencing the new consolidated legal description.

Alderman Voorhies moved to approve the request to amend the action of Council on May 17, 2016 to approve the consolidation of Central City, Block 1, Lots 11-16 and a portion of lot 17 as described in the attached plat to be referred to as Central City, Block 1, Lot 11A. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 16-19: A resolution of the City Council of the City of Central, Colorado awarding a bid for the Central City 2016 Concrete Flatwork Project (RFP 2016-9) and authorizing the City Manager to execute a construction contract with The Perfect Patch Asphalt Co.

Manager Miera gave the background as follows: on May 31, 2016 the City of Central ("City") solicited proposals for the Central City 2016 Concrete Flatwork Project (RFP No. 2016-9) (the "Project") in accordance with Colorado law by posting a request for proposals ("RFP") on the Rocky Mountain E-Purchasing System. Resolution 16-19 ("Resolution") approves a contract with Perfect Patch Asphalt Co. Inc. for concrete replacement in 2016 (the "Agreement").

Since this is a budgeted expenditure, staff recommends awarding the bid for the Project to Perfect Patch Asphalt Co. Inc. in the not to exceed amount of Fifty-One Thousand Two Hundred and Forty-Four Dollars (\$51,244.00) Staff has evaluated the unit price bids received from the two (2) firms that submitted proposals by the applicable due date together with the specific criteria set forth in the RFP to determine the responsible and responsive bidder for the Project. The scheduled start date for this project is July 18, 2016 with an anticipated end date of August 31, 2016. We expect the work to be complete within a two week window.

Alderman Voorhies asked that a map showing the scope of work area be added to the contract.

Alderman Aiken asked if there are any additional funds to continue road improvements from the Bates-Hunter Mine to the Red Dolly. Manager Miera explained that \$50,000 budgeted for road improvements has been spent though staff is working with Black Hawk to see if we can utilize their contractor when they pave Gregory to continue up to Central City to save funds on mobilization costs.

Mayor *pro tem* Heider moved to approve Resolution No. 16-19: A resolution of the City Council of the City of Central, Colorado awarding a bid for the Central City 2016 Concrete Flatwork Project (RFP 2016-9) and authorizing the City Manager to execute a construction contract with The Perfect Patch Asphalt Co. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Resolution No. 16-20: A resolution of the City Council of the City of Central, Colorado approving the Second Amendment to the Memorandum of Understanding regarding Law Enforcement Services.

City Manager Miera explained that Resolution 16-20 approves the Second Addendum to the Memorandum of Understanding for Law Enforcement Services with the Gilpin County Sheriff's Office. The Memorandum of Understanding ("MOU") was approved by City Council via Resolution 16-11 and was effective on March 8, 2016. The First Addendum to the MOU was approved by City Council via Resolution 16-12 and was effective on April 26, 2016. The Second Addendum authorizes the GCSO to hire four (4) additional deputies up to a maximum of six (6) deputies to provide services to the City under the terms of the MOU and authorizes the GCSO utilize up to two (2) additional CCPD patrol vehicles, for a maximum of four (4) patrol vehicles during the term of the MOU.

For each two-week pay period for which each additional Deputy is employed by GCSO and providing services to the City under the terms of this MOU, the City is obligated to pay \$2,885.60 to the GCSO, per the terms of the MOU. No additional Deputy shall be hired by GCSO to provide services to the City under the MOU unless the specific hire is approved in advance by the City Manager. The fiscal impact on the City will be directly related to the number of GCSO deputies providing services to the City under the terms of the MOU. The hourly rate for normal and routine law enforcement services (of \$36.07/hour) remains the same and is not affected by the Second Addendum.

Alderman Voorhies stated that what started as a good idea has become a problem for Council and has gone on too long and has been handled strangely. We need to provide law enforcement to the City.

Mayor *pro tem* Heider noted that with the limited City staff remaining the Sheriff's office can provide the necessary training for new deputies.

Manager Miera explained that the need for an IGA has accelerated due to variables and a proposed IGA will be discussed with Council in Executive Session this evening.

Mayor Engels added that he has been told that Central City Police Department vehicles have been seen responding to calls in the County. Manager Miera noted that only the unmarked Tahoe has been stationed at the County since the Hummer we provided has been back in our shop for repairs.

Alderman Aiken questioned the additional cost for this MOU in the budget. Manager Miera explained that these costs will come from the Police Department budget with overtime costs reduced.

Mayor Engels reported that the Sheriff's office and Acting Chief Stanton provided exemplary coverage on July 4th. Alderman Laratta agreed that the coverage was excellent.

Alderman Laratta moved to approve Resolution No. 16-20: A resolution of the City Council of the City of Central, Colorado approving the Second Amendment to the Memorandum of Understanding regarding Law Enforcement Services. Mayor *pro tem* Heider seconded, and without discussion, the motion carried unanimously.

Central City Promise Program Request– Tyrus Schmalz

Finance Director Adame explained that the Central City Promise Program was initiated by City Council to encourage high school graduates and G.E.D. recipients of Central City to make post-secondary education a priority. The Promise Program helps make it possible for Central City residents to attend a university, community college or trade school by providing assistance with the costs associated with attending one of these educational institutions. The 2016 Budget has \$10,000 allocated for the Promise Program. This is the only formal request received-to-date for FY 2016. Granting this request will leave a remaining balance of \$5,000.00.

Mr. Schmalz has submitted all of the required information and paperwork and is requesting Promise Program funds in the amount of \$5,000.00 in 2016. Mr. Schmalz is continuing his post-secondary education at Colorado State University and has received previous Promise Program disbursements in 2013, 2014 and 2015 for a total of \$15,000.00. The Promise Program Guidelines limit the amount that an individual can receive to a total of \$20,000 or four (4) years of funding.

Manager Miera noted that to date Central City had paid out \$83,000 for student education through the Promise Program.

Alderman Voorhies moved to award Tyrus Schmalz with continuing post-secondary educational tuition assistance in the amount of \$5,000.00. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

REPORTS

Staff updates –

Leavitt Street – Resolution No. 16-14 (tabled on 5/17/16). City staff, is asking for Council direction to add this resolution back to the August 2nd agenda. Staff has not had any inquiry for a Special Review Use to any City Property.

Steve Cordero, Manager for Ace Express, noted the PUC filing process is pending to give time to the ridership for changes to the service route and time with the change to begin September 1. Currently the plan will have the drivers return to Denver and loop back up. The charter buses will plan to park at Miners Mesa in the summer and will incur additional fees in the winter.

Alison Hickok, 340 Lawrence Street, stated that the illegal use of the private property held by absentee owners is a problem for the health, safety, and welfare of residents of this community. To date, no applications for a parking lot have been received for this site and if it is important then those property owners need to apply and have it correctly permitted.

Jesse Peterson, resident of Gilpin County, stated that he spends his days in Central City and the dust coming from Leavitt and the adjacent lots is toxic mill tailings. He noted there is a 3 compartment mine shaft under those lots.

Raymond Drasky, 360 Lawrence Street, stated that the buses coming up are empty and they need to be turned off when parked.

Alderman Aiken asked if there is a possibility to pave Leavitt. Manager Miera responded that even if Leavitt is paved, buses are not allowed to park on the street and the additional problem is bus idling.

Council consensus is to have staff put this resolution on the August 2nd agenda.

COUNCIL COMMENTS

Alderman Voorhies stated that Central City has a haphazard look and would like to see Public Works complete one project before they start another project.

Mayor *pro tem* Heider asked about the curb work at Johnny Z's. Manager Miera explained that we are moving the crosswalk up to make it safer and will retain the parking space.

Alderman Laratta asked how long the barricades that keep the access to the Big T lot closed off will remain. Manager Miera explained that there is a lot of work to do in that Lot that we plan to self-perform this summer. We are waiting for Xcel to deactivate some lines and then we can remove the islands and stabilize the area under the lot.

PUBLICFORUM/AUDIENCEPARTICIPATION

No one requested time to address the Council.

EXECUTIVE SESSION

At 8:15 p.m., Mayor *pro tem* Heider moved to go into Executive Session pursuant to C.R.S. Section 24-6-402(4)(e) for the purposes of developing strategies relative to matters that may be subject to negotiations; developing strategies for negotiations; and instructing negotiators regarding intergovernmental agreement regarding law enforcement and public safety services; C.R.S. Section 24-6-402(4)(b) for legal advice on specific legal questions related to the proposed intergovernmental agreement regarding law enforcement and public safety services; and C.R.S. Section 24-6-402(4)(b) for legal advice on specific legal questions related to a complaint filed with City Council (sitting as the Board of Ethics) pursuant to Article IV or Chapter 2 of the Municipal Code and to reconvene if needed to provide direction to the City Attorney. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

City Council returned to the open meeting at 9:45 p.m. Mayor Engels announced for the record that the Executive Session had been concluded and that the participants in the Executive Session were all members of City Council, City Attorney McAskin and City Manager Miera. Mayor Engels noted for the record that City Manager Miera did not participate in that portion of the Executive Session dedicated to legal advice regarding a complaint filed with City Council (sitting as the Board of Ethics) under the City's Code of Ethics.

Mayor *pro tem* Heider moved to direct the City Attorney to retain an independent investigator to perform a preliminary investigation of the alleged violation of the City's Code of Ethics set forth in the written complaint dated July 8, 2016, and to request that the independent investigator present written findings to City Council (sitting as the Board of Ethics) as a future regular meeting of City Council. Alderman Laratta seconded. Following discussion, when Mayor Engels called the question, the motion carried unanimously.

At 9:47 p.m., Mayor Engels adjourned the meeting.

The next regular Council meeting is scheduled for August 2, 2016 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk



AGENDA ITEM # 7

CITY COUNCIL COMMUNICATION FORM

FROM: Daniel Miera, City Manager

DATE: August 2, 2016

ITEM: Resolution No. 16-14: A Resolution of the City Council of the City of Central, Colorado Authorizing the City Manager to Post Traffic Control Signs and Take All Other Necessary and Proper Steps to Restrict Vehicular Traffic on Leavitt Street.

NEXT STEP: Council Action on Resolution No. 16-14.

ORDINANCE
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

The City desires to address hazardous environmental issues, excessive auto emissions, noise and potential damage to historic buildings and structures, and protect the public health, safety and welfare of the residents and visitors by authorizing the City Manager to take all necessary and proper steps to restrict vehicular traffic on Leavitt Street.

II. BACKGROUND INFORMATION:

Aside from ongoing reports of excessive air and noise pollution affecting the residential neighborhood on Lawrence Street, adjacent to Leavitt Street, there have been two (2) substantial incidents on the unimproved roadway of Leavitt Street which have caused hazardous environmental conditions that the City should address: 1) February 19, 2016 Fuel Spill near the creek, and 2) April 13, 2016 Antifreeze Spill near the creek.

Section 8-4-30 allows the City Council to authorize the City Manager to take steps to restrict vehicular traffic (up to and including closure) on certain roadways if the City Council determines that vehicular access to certain roadways (Leavitt Street) is hazardous, in accordance with Section 8-4-20 of the Municipal Code.

Based on the information presented, as well as the fact that any such restriction of traffic on Leavitt Street will not adversely affect the City's general transportation system, nor will it leave any property in the area without established access to another established public road, the restriction of traffic on Leavitt Street would be proper.

This Resolution was first presented to City Council on May 17, 2016 at a Regular Meeting. However, it was tabled at the same meeting in an effort to provide the affected stakeholders (bus companies and casinos) with additional time to make alternate arrangements before Council addressed the item again.

As of July 12, 2016 the stakeholders effectively made alternate arrangements and noted that they would be ready to deal with the closure of Leavitt Street within 30-45 days.

Staff recommends that the effective date of closure be no earlier than Friday, August 12, 2016 but no later than Friday, August 26, 2016.

III. FISCAL IMPACTS:

De minimis – the City already possesses the necessary materials to effectuate any required traffic control/restriction, and the staff time involved in any related operation will be minimal.

IV. RECOMMENDED ACTION / NEXT STEP:

Take action on Resolution No. 16-14.

V. LEGAL ISSUES: None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: None.

(Note: Resolution No. 16-14 seeks to mitigate environmental issues, and any such measures to do so will not create any conflicts or other environmental issues.)*

VII. SUMMARY AND ALTERNATIVES:

1. Move to adopt Resolution 16-14.
2. Adopt Resolution 16-14 with amendments.
3. Table for further discussion and consideration.

Proposed Motion: "I move to approve Resolution No. 16-14, a Resolution of the City Council of the City of Central, Colorado authorizing the City Manager to post traffic control signs and take all other necessary and proper steps to restrict vehicular traffic on Leavitt Street."

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 16-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AUTHORIZING THE CITY MANAGER TO POST TRAFFIC
CONTROL SIGNS AND TAKE ALL OTHER NECESSARY AND PROPER
STEPS TO RESTRICT VEHICULAR TRAFFIC ON LEAVITT STREET**

WHEREAS, Leavitt Street is a one-way unimproved roadway in the City of Central that intersects two (2) improved one-way streets, Gregory Street and Lawrence Street; and

WHEREAS, Leavitt Street receives intermittent bus and commercial vehicle traffic, but does not serve as a major thoroughfare or connector, and operates more like a parking lot than a roadway due to its unpaved condition and non-delineated right-of-way; and

WHEREAS, Section 8-4-20(a) of the Municipal Code allows the City Council to determine, based on environmental reports or similar investigations or studies presented at a public meeting, that vehicular access to certain roadways within the City could, among other impacts specified in the Municipal Code: (1) cause hazardous environmental conditions, (2) cause auto emissions, noise and potential damage to historic buildings and structures, or (3) endanger the public health, safety or welfare of City residents and visitors; and

WHEREAS, a written incident report has been submitted to the City Council evidencing that on February 19, 2016, a bus parked on Leavitt Street experienced mechanical problems and spilled approximately fifty (50) gallons of fuel near the creek that runs through or in the vicinity of Leavitt Street; and

WHEREAS, a written incident report has been submitted to the City Council evidencing that on April 13, 2016, a bus parked on Leavitt Street experienced mechanical problems and spilled a significant amount of antifreeze near the same creek; and

WHEREAS, both incidents required significant environmental response and mitigation efforts; and

WHEREAS, the City Council has determined that these two incident represents represent sufficient evidence to conclude that continued vehicular access to Leavitt Street may cause hazardous environmental conditions in the immediate future; and

WHEREAS, the bus and commercial vehicle traffic that travels the unpaved area on and about Leavitt Street consistently produces excessive air and noise pollution, which endangers the health, safety and welfare of the residents in the adjacent historic residential neighborhood; and

WHEREAS, the City Council desires to authorize the City Manager to post traffic control signs and otherwise take all necessary and proper steps to restrict vehicular traffic on Leavitt Street in accordance with Section 8-4-30 of the Municipal Code; and

WHEREAS, the restriction of vehicular traffic on Leavitt Street does not adversely impact the City's transportation system, and will not leave any parcel of land abutting Leavitt Street without an established public road or private-access easement connecting said parcels of land with another established public road.

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

Section 1. The City Council finds that sufficient evidence has been presented to City Council to determine that continued vehicular access to Leavitt Street may: (a) cause hazardous environmental conditions; (b) cause auto emissions, noise and potential damage to historic buildings and structures; or (c) endanger the public health, safety or welfare of City residents and visitors.

Section 2. The City Council authorizes the City Manager to post traffic control or other appropriate signs and to take all necessary and proper steps to restrict vehicular traffic on Leavitt Street at all times on and after August 12, 2016 in accordance with Section 8-4-30 of the Municipal Code, including but not limited to installing gating devices, barricades and other traffic control devices, as appropriate, to control access onto and off of Leavitt Street.

Section 3. The City Council desires to provide reasonable advance notice to the traveling public regarding the vehicular traffic restrictions on Leavitt Street authorized by this Resolution, up to and including the permanent restriction of vehicular traffic onto and off of Leavitt Street. To that end, the City Manager is directed to post temporary signage in the vicinity of Leavitt Street alerting the traveling public to the pending restriction on vehicular traffic on Leavitt Street following the effective date of this Resolution and prior to August 12, 2016, and shall cause a copy of this Resolution to be made available on the City's website on or before Friday, August 5, 2016.

Section 4. Severability. If any section, paragraph, clause, or provision of this Resolution 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 Resolution, the intent being that the same are severable.

Section 5. Effective Date. This Resolution shall take effect immediately upon its approval by the City Council.

ADOPTED THIS 2nd DAY OF AUGUST, 2016.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

By: _____
Reba Bechtel City Clerk

APPROVED TO FORM:

By: _____
Marcus A. McAskin, City Attorney



AGENDA ITEM # 8

CITY COUNCIL COMMUNICATION FORM

FROM: Ray W. Rears, Community Development Director
CC: Daniel Miera, City Manager
DATE: August 2, 2016
ITEM: Resolution No. 16-21 – Memorialize the acquisition and acceptance of Central City Block 1, Lot 19 Thru 21 (Pt Lot 21) & Improvements, commonly known as the Belvidere Theatre
NEXT STEP: Council Action on Acceptance

ORDINANCE
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

On July 26, 2016, Gilpin County (the "Grantor") executed and recorded a quitclaim deed conveying the following real property to the City:

CENTRAL CITY, BLOCK 1, LOT 19 THRU 21 (PT LOT 21) & IMPROVEMENTS
COUNTY OF GILPIN, STATE OF COLORADO

(the "Subject Property"). The Quitclaim Deed was recorded on July 26, 2016 at Reception No. 156841 in the real property records of Gilpin County. A copy of the Quitclaim Deed is attached to this Council Communication Form for reference. The Grantor conveyed the Subject Property to the City at the City's request in order for the City to use the property for public projects or for public purposes.

Resolution No. 16-21 memorializes the City's acquisition of the Subject Property for the benefit of the Public.

II. BACKGROUND INFORMATION:

The City views the Belvidere Theater as critical to our redevelopment efforts and has dedicated a portion of our historic preservation funds toward this effort this budget year. At the request of the City, Gilpin County applied for and received a Treasures Deed (tax deed) for the Belvidere Theater property in June of 2015. During the past year the County applied for and received a Historical Structural Assessment grant for the building. That final report was due in June, but is expected soon which will detail the restoration needs and estimated costs associated with that work. The deed granting ownership of the property to the City is conditioned upon limiting the use of the property for public projects or public purposes which still affords the City with broad flexibility with our redevelopment efforts.

III. FISCAL IMPACTS:

None.

IV. RECOMMENDED ACTION / NEXT STEP:

Approve Resolution 16-21 accepting the Subject Property.

V. LEGAL ISSUES: None. C.R.S. § 31-15-101(1)(d), authorizes the City to acquire and dispose of real property.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: None.

VII. SUMMARY AND ALTERNATIVES:

1. Move to approve Resolution No. 16-21 to memorialize the acquisition of the Subject Property
2. Table for further discussion.
3. Decline to accept the Subject Property.

Attachments:

1. Quitclaim Deed recorded at Reception No. 156841
2. Resolution No. 16-21

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 16-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL
MEMORIALIZING THE ACQUISITION OF THE BELVIDERE THEATRE BY
THE CITY OF CENTRAL**

WHEREAS, pursuant to C.R.S. § 31-15-101(1)(d), the City of Central (“City”) is authorized to acquire and dispose of real property; and

WHEREAS, by Quitclaim Deed dated July 26, 2016 and recorded on July 26, 2016 at Reception No. 156841 in the real property records of Gilpin County, Colorado, GILPIN COUNTY, COLORADO, a political subdivision of the State of Colorado conveyed the following property to the City:

S:12 T:3S R73W Subd: CENTRAL CITY Block: 001 Lot 019 THRU 021
(PT Lot 21) & IMPROVEMENTS,
COUNTY OF GILPIN,
STATE OF COLORADO

*Commonly known as the Belvidere Theatre and having a street address of
139 Nevada Street, Central City, CO 80427 Gilpin County Parcel I.D.
#:183512301150 (Account No. R002877), and being all of the real
property described in that certain Treasurer’s Deed recorded on June 1,
2015 at Reception No. 153805 in the real property records of Gilpin
County, State of Colorado.*

(the “Subject Property”); and

WHEREAS, the City Council desires to memorialize the City’s acquisition of the Subject Property by and through the adoption of this Resolution.

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

Section 1. The City Council hereby acknowledges the delivery and recording of the Quitclaim Deed referenced above. The City Council further desires to memorialize the acquisition of the Subject Property.

Section 2. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 2nd DAY OF AUGUST, 2016.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus McAskin, City Attorney



After recording, return to:

City of Central
City Clerk's Office
141 Nevada Street
P.O. Box 249
Central City, CO 80427

NO DOCUMENTARY FEE REQUIRED PER C.R.S. § 39-13-104(1)(a)

QUITCLAIM DEED

This Quitclaim Deed is made by and between **GILPIN COUNTY**, a political subdivision of the State of Colorado, whose address is 203 Eureka Street, P.O. Box 429, Central City, CO 80427 ("Grantor"), and the **CITY OF CENTRAL CITY**, a home rule municipality of the State of Colorado, whose address is 141 Nevada Street, P.O. Box 249, Central City, CO 80427 (the "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto Grantee and Grantee's successors, and assigns, forever, all right, title, interest, claim and demand which Grantor has in and to the real property, together with improvements, if any situate, lying and being in the City of Central, County of Gilpin, State of Colorado, described as follows:

See **Exhibit A** attached hereto (the "Subject Property").

UPON CONDITION that the Subject Property shall be used for public projects or public purposes as generally described in C.R.S. §§ 30-20-301(2) and -301(3) and in the event of breach of such condition, Grantor shall have the right of entry and upon proper exercise thereof and issuance of a final non-appealable order of a court of competent jurisdiction finding that the condition set forth herein has been breached by Grantee, all right, title, and interest and claim to the Subject Property shall be restored to Grantor.

SUBJECT TO THE FOREGOING CONDITION TO HAVE AND TO HOLD the Subject Property, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of Grantor, either in law or equity, to the only proper use and benefit of Grantee and Grantee's successors, and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be executed on the date set forth below.

07/26/2016 11:23 AM
COLLEEN STEWART GILPIN COUNTY, CO
Receipt #22618 Page 3 of 3
319 QUIT CLAIM DEED TotalFee:0.00 DocFee:0.00
156841



EXHIBIT A
(Subject Property)

S:12 T:3S R73W Subd: CENTRAL CITY Block: 001 Lot 019 THRU 021 (PT Lot 21) &
IMPROVEMENTS,
COUNTY OF GILPIN,
STATE OF COLORADO

*Commonly known as the Belvidere Theatre and having a street address of 139 Nevada Street,
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To: Mayor and Council
From: Daniel R. Miera, City Manager
Date: August 2, 2016
Re: Staff Report

❖ **General**

- Conducted Staff Meetings.
- Various meetings with council members, staff, and community members.
- Attended Wellness Program's Biometric Screening on Tuesday, July 12th.
- Attended Wellness Program's Mud Run Event (MS MuckFest) on Saturday, July 16th.
- Attended the Main Street Central City Wing Fest on Saturday, July 23rd.

❖ **Legal**

- Conference call with City Attorney McAskin and Special Counsel Polly Jessen to discuss the proposed settlement agreement with the EPA and CDPHE (Quartz Hill).
- Conference call with City Water Attorney Benson to discuss upcoming diligence case filings.

❖ **Community Development / Planning**

- Participated in a walking tour of properties around the City with Opera staff and guests.

❖ **Intergovernmental**

- Attended the GAA Meeting.
- Met with City Clerk Bechtel and County Clerk Stewart to negotiate terms of a proposed IGA for the proposed coordinated election in November 2016.
- Attended the Joint City / County Work Session (Belvidere Theater).
- Conference call with CCBID Bondholders (question of KOA inclusion).

❖ **Public Safety**

- Met with County Manager Baker and Black Hawk Manager Lewis to discuss potential issues relating to the MOU between CCPD and GCSO.
- Continue to work with staff and the GCSO on the items relating to the MOU and the proposed IGA.

City Clerk's Office

To: Mayor Engels, City Council, and City Manager Miera

From: Reba Bechtel, City Clerk

Date: August 2, 2016

Re: Bi-weekly Report

- Prep for the Regular Council meeting of 8/2.
- Attended HPC on 7/13.
- Met with County Clerk Stewart and City Manager Miera to discuss IGA for November Election.
- Misc information regarding: sign permits, special events, building permits, code questions, HP, records response, liquor, and marijuana.

CITY OF CENTRAL
CALL FOR CANDIDATES
REGULAR ELECTION
TUESDAY, NOVEMBER 8, 2016
7:00 A.M. TO 7:00 P.M.

A Regular Election coordinated with Gilpin County will be held on Tuesday, November 8, 2016 to fill two (2) Alderman seats with 4 year terms to end December 31, 2020.

Notice is hereby given that **candidate petitions will be available starting Tuesday, August 9, 2016** for candidates interested in running for one of two (2) Alderman seats for the City of Central City may pick up a petition at the Gilpin County Clerk and Records Office, 203 Eureka Street, Central City, Colorado 80427, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday (appointments recommended).

Please contact the County Clerk for a candidate packet and qualifications.

Deadline for completion and submission of petitions is Monday , August 29, 2016 at 2:00 p.m., no postmarks accepted. NO EXCEPTIONS.

For more information contact the County Clerk's office at 303-582-5321.

To: Daniel R. Miera, City Manager
Cc: Mayor and Council
From: Abigail R. Adame, Finance Director
Date: August 2, 2016
Re: Staff Report

➤ **Finance**

- Attended webinar training on Capital Assets.
- Prepared and submitted the second quarter 941s and State Unemployment Tax Reports.
- Continue to provide the auditors with information requested for the 2015 audit.

To: Central City Council
From: Ray W. Rears, Community Development Director
Date: August 2, 2016
Re: Department Update

Community
Development
Department

Development

- 1) Colvin Tract – Parking Lot – City of Black Hawk – Fmr. Clinic site.
 - a. Permit has been issued
- 2) GIS Services – Work on Parcel layer continues
- 3) Comp Plan/Zoning Code / Design Guidelines –
 - a. Aug. 3rd – PC Meeting to Discuss Community Economic Development
- 4) CDBG – Resilience Planning Grant received - \$75,000 (no match).
 - a. RFP Advertised – Closes Aug. 25th.
- 5) Enterprise Zone – initial letter of interest sent to the NW Enterprise Zone.
- 6) McShane/Doc Holiday/Scarlets buildings development pending. 7 Healing Stars – Preliminary Review by PC – Aug. 3rd
- 7) Wayfinding Signage – HPC comments received – Revised drawing being prepared.
- 8) Lease Agreement with Clear Creek Development Corp being discussed.
- 9) Various initial development/building inquires addressed.
- 10) Working with our water attorney regarding requested information.

IT/Web/Audio Visual

- 1) Website, Facebook and Twitter internal administration continues.
- 2) Channel 20 – Streaming to Web page work in progress.
 - a. Functional
- 3) Interactive Events Calendar on the website.
- 4) Comp Plan/Zoning Code/Design Guidelines tab has been created.
- 5) Local weather now provided on the City website.

Historic Preservation

- 1) Staff is working with Hord Coplan & Macht regarding the Belvidere Theatre as they work on Historic Structure Assessment. Awaiting Final report which is now estimated to be completed by the end of July.
- 2) Historic Preservation State tax credits promoted under economic development tab on the City website.
- 3) Belvidere
 - a. Quote for concept drawing requested. Estimated delivery by July 31st
- 4) Historic Preservation Cases – 13 year-to-date.

Code Enforcement – Active

- 1) Active cases – 10 Open cases referred to Attorney – 3 Closed cases – 8

Events / Marketing

- 1) Attending Main Street meetings.
- 2) Met with organizers of the Central City Hill Climb (Sept) & Pit Rally (Aug)
- 3) Pit Rally Event – Fri. Aug. 12th 7 a.m. – 1 p.m. (Parkway Closed), Sat. Aug. 13th (Parkway Open), Sun. Aug 14th (7 a.m. – 7 p.m. est. Main Street and Parkway Closed). Race begins at 11 a.m.
- 4) Billboard
 - a. City Billboard Use
 - i. Opera (May/June) Gilpin History (July/August) CC Volunteer Firefighters Foundation (Sept./October)
 - b. Solar Lighting installed on sign 6.
- 5) Working with multiple publications for more visibility within the Metro area.
- 6) GF Gaming – Hispanic Culture for the entire family event – Main Street – July 30th -6 p.m. - midnight
- 7) Main Street Central City Activities:
 - a. Central City Photo Contest – Future CC postcards
 - b. Focused large MSCC event – July 23rd – Beat the Heat – Wing-off
 - c. \$2,500 grant has been awarded from the State.
 - d. Photo cutouts (Baby Doe etc.) in process.

Visitor Center

- 1) Q3 Staff meeting held with Gilpin Arts. Colorado chocolate bars are now being sold, with plans for Central City specific ones in the future.

Staffing

- 1) IT support staff facilitation continues.
- 2) Investigating a wellness program.
 - a. Fit bit's purchases, program will be rolling out soon.
- 3) Chuck Fullen started working for the City as the back-up Central City Ambassador.

Major Closures:

Main Street Closure: Sunday, August 14, 2016: From 6am – 9am

CC Parkway Closure:

Friday, August 12, 2016: From 7am – 12:30pm

Sunday, August 14, 2016: From 7am – 7pm

Event Outline:

Hourly Schedule / Detailed Breakdown:

1) Friday August 12, 2016:

- 8 am- 12 pm - Closing Parkway for Practice Runs, Leaving and returning from The Greek Lot

2) Saturday August 13th, 2016:

- 4pm (not interfering with businesses) PIT Rally Team will begin chalking out Vendor spots on Main St. (From Gregory South)
- 4pm PIT Rally Team will hang banners on the overpass and select guardrails

3) Sunday August 14th, 2016:

- 8 am- Racers begin to Check in at the Greek Lot and Stage for Race.
- 8 am- Main St Closes for Vendors to Start Set Up !
- 8 am- 10 am Cars for the Grand Cruise begin to gather at the base of the Parkway in an orderly fashion
- 10 am - 7pm Parkway Closes for Race!
- 10:05 am Grand Cruise Starts
- 10:15 am Grand Cruise Stops at the finish line near KOA Campground mile marker 7, for the National Anthem.
- 10:20 am Grand Cruise Participants arrive in town and led to parking lot, BIG T Lot.
- 11 am Racers begin race at the Base of the Parkway once they have ran they will begin staging on Main Street. This is the first area to be filled with racers. They will line up single file through the middle of the vendors and around the corner of Gregory St.
Dostal Alley Parking Lot This is the 2nd place to be filled up with racers. Once Main St is full, racers will be parking here to stage, keeping off of Spring St.
Big T Lot This is the 3rd staging area only used to stage racers if areas 1 & 2 are filled.
- 12pm – 6:30pm: Music on Main Street – The Blast from 12pm – 2:45pm and Gin Doctors from 3:30pm – 6:30pm
- 5:30 pm Racers finish on Parkway
- 5:45 - 7 pm Drifters take place on Parkway and close out show utilizing the northern most 1.5 miles of the parkway.
- 7 - 7:30 pm Awards are given on Main St.

Take Care,

Zeke Keeler

Community Coordinator – Central City, CO

Office: 303-582-5251 ext. 305

Cell: 303-419-7504

To: Mayor Engels, City Council, and City Manager

From: Sam Hoover, Public Works Director

Date: July 28, 2016

Re: Bi-weekly Report

Over the past two-weeks, public works staff has performed the following activities:

- Started noxious weed spraying
- Performed large crack repairs on the Parkway (See attached pictures)
- Started clean-up of the Big-T Lot
 - Removed (3) electric poles
 - Removed blue shed
 - Removed concrete pad and patched area with asphalt
- Provided support for the wing eating event

The concrete flatwork project that was supposed to start on 7/18/16 was delayed because the contractor could not get concrete from their supplier. This work should start next week. Also, I received notice from the guardrail company that they will be starting the Parkway ramp guardrail project next week. This project may result in temporary closures of the ramps.





