

CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, August 4, 2015 @ 6:00 p.m.
141 Nevada Street, Central City, Colorado
AGENDA

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

6:00pm Council Meeting

1. Call to Order.
2. Roll Call.

Mayor	Ron Engels
Mayor Pro-Tem	Kathy Heider
Council members	Shirley Voorhies
	Glo Gaines
	Judy Larratta

EXECUTIVE SESSION – Pursuant to C.R.S. 24-6-402(4)(b) and (4)(c) to discuss specific legal questions and to instruct negotiators concerning pending water rights cases concerning the City of Central **held at 6:00pm in lieu of the Work Session.**

RECONVENE REGULAR SESSION – 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 of July 9, 16, 23, 30; and
City Council minutes: July 7 and 21, 2015.

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.

BOARD OF ADJUSTMENT –

7. Resolution No. 15-BOA-01 A resolution of the Board of Adjustment of City of Central, Colorado approving a variance request submitted for property known as the Shores Residence, and setting forth Findings of Fact. (Thompson)

ACTION ITEMS: NEW BUSINESS –

8. Ordinance No. 15-06: An ordinance amending Article 6 of Chapter 6 of the City of Central Municipal Code regarding Entertainment Districts. (McAskin)

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).

EXECUTIVE SESSION – Pursuant to C.R.S. 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 City Shuttle/Transportation Service

ADJOURN. Next Council meeting September 1, 2015. (August 18, 2015 Work Session with Black Hawk Council at 211 Church Street, Black Hawk.)

Posted 7/31/15

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
7/29/2015**

Total Beginning ENB Cash on Hand 07/02/15 75.81

Deposits to ENB	
Wires Out ENB	
Cleared Checks	-
<u>7/29/2015</u>	<u>75.81</u>
<less previously approved & outstanding>	288.13
Total ENB Cash on Hand 07/29/15	(212.32)

Total COB Cash on Hand 07/17/15 473,360.70

Deposits to COB	114,616.14
Wires Out COB	110,684.37
Cleared Checks	109,348.71
<u>7/28/2015</u>	<u>367,943.76</u>
<less previously approved & outstanding>	(115,574.10)
Device Fees Received	
Total COB Cash on Hand 07/29/15	252,369.66

Total Beginning Colotrust Cash on Hand 07/17/15 711,696.76

Wires into Account	4,114.15
Wires out of Account	
Total Colotrust Cash on Hand 07/29/15	715,810.91

TOTAL CASH ON HAND 07/02/15 967,968.25

CASH FLOW
CHECK LISTING

7/29/2015

Inv Date	Inv #	Ck. Date	CK#	Vendor	Description	Amount	Mail Date
6/30/15	62644	7/9/15	129995	AV-Tech	Light for FD	129.65	7/22/2015
7/9/15	2ndqdt2015	7/9/15	129998	Co Dept of Revenue	Sales Tax	89.00	7/22/2015
7/1/15	941839	7/9/15	130005	Napa Auto Parts	LED and Polish Pad FD	17.24	7/22/2015
6/29/15	749189	7/9/15	130008	Stevinson Chevrolet	Bolt	10.32	7/22/2015
7/3/15	CCPD0615	7/9/15	130008	Weekly Register Call	Help Wanted PD	156.00	7/22/2015
7/3/15	372520	7/9/15	130011	Pitney Bowes	Scale Rental	32.25	7/22/2015
7/7/15	150701	7/9/15	130013	Gilpin County Historical Soc	Employee for Wash Hall	2,153.00	7/22/2015
7/9/15	070815	7/9/15	130016	Gloria Gaines	CML Expenses	117.37	7/22/2015
6/1/15	5009	7/9/15	130017	Ausmus Law	Prosecution for July	600.00	7/22/2015
7/5/15	3016	7/9/15	130020	Griffith Inc	Consulting for Water and PW	1,912.50	7/22/2015
7/8/15	070815	7/9/15	130022	Margaret Grant	Historic Preservation	50.00	7/22/2015
7/1/15	33751949372	7/9/15	130023	Waste Management	Dumpster Rental	292.00	7/22/2015
7/8/15	070815	7/9/15	130025	Richard Willett	Historic Preservation	50.00	7/22/2015
7/8/15	070815	7/9/15	130026	David Forsyth	Historic Preservation	50.00	7/22/2015
7/1/15	1032	7/9/15	130028	Wideawake Media	Historic Preservation	150.00	7/22/2015
			130030	Payroll	1/4 Page Ad	168.55	7/22/2015
6/30/15	5751198972	7/17/15	130036	Clear Creek Supply	Butt Splice Terminal and Wire	9.56	7/22/2015
6/30/15	222015	7/17/15	130037	Colorado State Treasurer	Unemployment Insurance	816.53	7/22/2015
7/17/15	071715	7/17/15	130040	Gilpin Arts Assoc	Payroll for 6-27 thru 7-10-15	2,120.00	7/22/2015
7/6/15	942906	7/17/15	130044	Napa	Brake Pads, Spark Plug, Gauge, Water Pump	448.74	7/22/2015
7/6/15	103547001	7/17/15	130046	Office Stuff	File Folders, Coffee	95.64	7/22/2015
7/13/15	28181	7/17/15	130047	Off Road Ltd	Winch and Cable for FD	585.00	7/22/2015
7/6/15	CLEGL0615	7/17/15	130049	Stevinson Chevrolet	Handle, Interior Door Panel for PD	417.67	7/22/2015
7/6/15	062415	7/17/15	130050	Weekly Register Call	Ordinances 15-03, 15-04, 15-05	58.08	7/22/2015
7/2/15	875857	7/17/15	130051	IIMC	Membership for Bechtel	180.00	7/22/2015
5/5/15	296166A	7/17/15	130053	Aflac	Supplemental Insurance	286.50	7/22/2015
7/1/1/15	46366369	7/17/15	130063	Central Parts	Dual Flow Control Valve	84.55	7/22/2015
7/16/15	3907162015	7/17/15	130070	De Lage Landen	Copier Lease for City Hall	369.97	7/22/2015
6/23/15	32787	7/17/15	130073	University of Colorado	Historic Survey	9,785.00	7/22/2015
7/1/15	20152326	7/17/15	130074	Alperstein & Covell PC	Water Legal	5,971.00	7/22/2015
7/13/15	2566	7/17/15	130075	Emergency Reporting	Fire Package	165.00	7/22/2015
7/13/15	61593	7/23/15	130081	Colorado Coach Transportation	Pit Rally Shuttle	850.00	7/22/2015
7/17/15	5751200615	7/23/15	130082	AV-Tech	Siren	582.60	7/22/2015
5/13/15	2015029227	7/23/15	130083	Clear Creek Supply	Trailer Ball, Fuel Filter, Switch	52.23	7/22/2015
7/15/15	10059400	7/23/15	130084	BLM	FD Training Material	134.22	7/22/2015
7/20/15	72541613	7/23/15	130085	Drive Train Industries	DOT Inspection	142.50	7/22/2015
7/23/15	072315	7/23/15	130086	GCR Tires	Tire Replacement	223.00	7/22/2015
7/16/15	63037772	7/23/15	130087	James Lewis	August 7th First Friday Band	750.00	7/22/2015
7/14/15	927222	7/23/15	130088	Nalco Chemical	Chemical Mixture	2,057.94	7/22/2015
7/17/15	103603001	7/23/15	130089	Napa	Ratchet, Battery Cable, Ties	107.20	7/22/2015
7/6/15	070615	7/23/15	130090	Office Stuff	File Folders	14.19	7/22/2015
			130091	Xcel Energy	Electricity	6,418.76	

CASH FLOW
CHECK LISTING

7/29/2015

7/1/15 9007743143	7/23/15	130092 Cintas	AED View Lease	99.00
7/15/15 900025007	7/23/15	130093 CO Dept of Public Health	Drinking Water Fee	865.00
7/13/15 7260425jn15	7/23/15	130094 Pitney Bowes	Postage Machine Lease	177.00
7/6/15 58218	7/23/15	130095 Wear Parts	Poly Wafer	554.32
7/23/15 130675	7/23/15	130096 Air O Pure	Restroom at Chase Shop	95.00
7/17/15 D764893	7/23/15	130097 Accutest	Water Testing	381.00
7/15/15 45327	7/23/15	130098 Peak Performance	Metered Copies	439.30
7/22/15 072215	7/23/15	130099 Integra	City Hall Phone Service	734.50
7/7/15 317172	7/23/15	130100 UMB Bank	Escrow Agent Fee	3,000.00
7/9/15 567	7/23/15	130101 Mountain Tool	Trimmer Line	56.89
7/17/15 071715	7/23/15	130102 Judy Laratta	CML Meal	30.00
7/11/15 46361740	7/23/15	130103 De Lage Landen	PD Copier Lease	165.54
7/16/15 136264	7/23/15	130104 Fairfield and Woods PC	Sign Code Rewrite	1,562.00
7/7/15 184710	7/23/15	130105 Flint Trading	Street Paint	3,540.21
	7/31/15	130106 Employee	Payroll	90.20
		130107 Employee	Payroll	902.37
		130108 ICMA 401	Retirement	1,747.33
		130109 ICMA 457	Retirement	1,407.01
		130110 ICMA	Retirement	351.00
7/29/15 072915	7/29/15	130111 Gilpin County Arts	Payroll and Art Sales	2,230.00
7/8/15 715	7/29/15	130112 Gilpin County	Victim Services	1,000.00
7/16/15 071615	7/29/15	130113 MCI	Toll Free Phone Service	15.59
7/20/15 103664001	7/29/15	130114 Office Stuff	White Boards and Credit	8.02
7/24/15 072415	7/29/15	130115 Xcel Energy	Electricity	162.84
7/16/15 071615	7/29/15	130116 Town Office Supply	Business Cards for Hoover	52.95
7/8/15 3760352	7/29/15	130117 Century Link	Phone Service	955.24
7/21/15 Aug2015	7/29/15	130118 Galls Incorporated	Uniform Pants	138.67
7/28/15 6925	7/29/15	130119 Vision Service Plan	Vision Insurance	245.96
7/22/15 171002	7/29/15	130120 Colorado Code Consulting	Building Inspections	5,163.16
7/16/15 9749108341	7/29/15	130121 Sanborn	Inventry for VC	453.64
7/11/15 June2015	7/29/15	130122 Verizon Wireless	Cell Phone Service	1,310.93
7/29/15 080115	7/29/15	130123 T & D Car Wash	PD Car Washes	128.00
7/13/15 1050488A	7/29/15	130124 Liberty National	Life Insurance	367.14
7/24/15 1017102	7/29/15	130125 American Legion	Flags for FD	435.85
7/14/15 4206	7/29/15	130126 Paul Padilla	Damaged Window	395.97
7/28/15 2575	7/29/15	130127 3Decals	Red and White Decals for FD	68.80
7/20/15 Aug2015	7/29/15	130128 Colorado Coach Transportation	Shuttle Service for August	26,328.77
	7/29/15	130129 Assurant Employee Benefits	Dental Insurance	1,674.23

Outstanding through ENB 288.13
Outstanding through COB 115,574.10

Total Issued:	115,862.23
Approved & Sent Checks:	19,825.04
Pending Approval:	96,037.19
Total Pending Approval 08/04/15	96,037.19

**CITY OF CENTRAL
CITY COUNCIL MEETING
July 7, 2015**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:18 p.m., in City Hall on July 7, 2015.

ROLL CALL

Present: Mayor Engels
Mayor Pro Tem Heider
Alderman Voorhies
Alderman Gaines
Alderman Laratta

Absent: None

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

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA

Alderman Gaines moved to approve the consent agenda containing the regular bill lists of June 4, 11, 18, 25 and July 2; and the City Council minutes for the meetings on June 2 and 19, 2015. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

SECOND READING AND PUBLIC HEARING

Ordinance No. 15-03: *An ordinance repealing and reenacting Article I of Chapter 18 of the City of Central Municipal Code to adopt by reference the International Building Code, 2015 Edition; the International Fire Code, 2015 Edition; the International Residential Code for one and two family dwellings, 2015 Edition; the International Mechanical Code, 2015 Edition; the International Plumbing Code, 2015 Edition; the International Energy Conservation Code, 2015 Edition; the*

International Existing Building Code, 2015 Edition; the International Fuel Gas Code, 2015 Edition; and, making specific amendments to the above referenced codes.

City Manager Miera stated that this is second reading and a public hearing and offered to answer any questions.

Mayor Engels opened the public hearing at 7:23 p.m. and invited comment. With no comments offered, Mayor Engels closed the public hearing at 7:24 p.m.

Alderman Voorhies moved to adopt Ordinance No. 15-03: An ordinance repealing and reenacting Article I of Chapter 18 of the City of Central Municipal Code to adopt by reference the International Building Code, 2015 Edition; the International Fire Code, 2015 Edition; the International Residential Code for one and two family dwellings, 2015 Edition; the International Mechanical Code, 2015 Edition; the International Plumbing Code, 2015 Edition; the International Energy Conservation Code, 2015 Edition; the International Existing Building Code, 2015 Edition; the International Fuel Gas Code, 2015 Edition; and, making specific amendments to the above referenced codes. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS

Appoint New Main Street Commission Members – Applicants: Barbara Thielemann, Steve Boulter, Lisa Leben, Mary Bell, Micki Moss, Ernie Van Deuchen, Jeff Hentschel

Following Council discussion, Alderman Gaines moved to ratify the appointments for Barbara Thielemann, Steve Boulter, Lisa Leben, Mary Bell, Micki Moss and Jeff Hentschel as alternate and thanked Ernie Van Deuchen for his willingness to serve. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 15-14: A resolution of the City Council of the City of Central, Colorado approving an Intergovernmental Agreement between the City of Central, the City of Black Hawk, the Timberline Fire Protection District, and Clear Creek County regarding a Maintenance Agreement for a Command Vehicle.

Police Chief Krelle explained that the Police and Fire Departments are asking council to approve an IGA with Gilpin County, Clear Creek County, City of Black Hawk and Timberline FPD which allows the Police and Fire Departments to utilize a 2015 Ford Command Vehicle and to assist in maintenance costs.

The Colorado Homeland Security Grant Program provided grant funding to the North Central All-Hazards Management Region for the benefit of the Members, hereto to improve local government's emergency response capabilities. Funding was provided to the City of Black Hawk to purchase a command vehicle to provide support functions for first responders within the region during an emergency. The vehicle was designed to function in mountainous terrain under adverse weather conditions. The Members need to enter into an agreement to sustain the grant funded vehicle by collaboratively funding a maintenance program. The vehicle will be owned and operated by the City of Black Hawk, but will be a shared asset between the participating members. It is beneficial for the Members to collectively fund a maintenance program ensuring operational effectiveness for the future. It is also desirable to establish guidelines for operating the vehicle and the procedures for approving acceptable expenses. Costs will be \$200 annually, plus cost of additional vehicle Liability Insurance through CIRSA (TBD).

Alderman Gaines moved to approve Resolution No. 15-12: A resolution appropriating additional sums of money in relation to the creation of the Transportation Enterprise Fund not appropriated in the 2015 Budget for the City of Central. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Resolution No. 15-15: A resolution of the City Council of the City of Central, Colorado approving the Second Amendment to License Fee Rebate Agreement.

City Manager Miera gave the background as follows: the City received a letter from Century Casino dated April 7, 2015, wherein a request was made of the City to amend the License Fee Rebate Agreement, authorizing an extension beyond the 10-year period (which is currently set to expire on or about July 1, 2016) and allowing the Casino to recognize the full maximum rebate amount of \$6.6 million.

The matter was discussed in Executive Session on April 21, 2015 and the City Council authorized the City Manager and City Attorney to negotiate the terms of such an Amendment. The negotiations resulted in the terms outlined in Resolution No. 15-15.

An important issue to note is that the negotiations resulted in a proposed Amendment that would reduce the rebate percentage from 70% of the fees (License Fee and Transportation Device Fee) down to 25% of the fees. However, in light of the recent formation of the Transportation Enterprise and the effect that continued rebates against the Transportation Device Fee could have on the Enterprise, the percentages and structure of the proposed Amendment were adjusted. The revised proposed Amendment reflects the intent of the original terms; however, the rebate will now solely be derived from the (General) License Fee, with no portion coming from the Transportation Device Fee. So, instead of rebating 25% of the two fees, the proposed Amendment would rebate 32% of the (General) License Fee (rounded up from the approximate calculation of 31.6%).

The City entered into the original License Fee Rebate Agreement with the Developer as of September 7, 2004. The Agreement provided an incentive for the developer to provide for and maintain free public parking within a parking structure (Century Casino Parking Garage) into perpetuity. The incentive was implemented through a License Fee Rebate Agreement. The City agreed to rebate 70% of the annual gaming license fees (\$1,000 per device, per year / \$83.33 per device, per month) for a 10-year period or up to a maximum rebate amount of 60% of the approved construction costs (or \$6.6 million), whichever came first. The City's practice of implementation for the rebate program not only included the (General) License Fee (\$83.33/device/month), but also included the Transportation Device Fee (\$22.08/device/month), for a total of \$105.41/device/month. Therefore, the City's rebate to the Century Casino has been equal to \$73.79/device/month.

The first rebate was issued in July 2006, and as such, the rebate is currently set to expire on June 30, 2016.

The First Amendment to the Agreement was executed as of April 5, 2005 (revisions to definitions in the Agreement, revised contact information, and a change in the number of parking spaces).

Through June 2015, the City has rebated \$4,277,864.10 to the Century Casino (an average of \$475,318.23 per year over the past nine years).

Beginning July 1, 2015, the proposed agreement would obligate the City to an outstanding liability equal to \$2,322,135.90 *.

On average (over at least the previous 5 years), the Casino has maintained approximately 500 devices. So, for the purposes of the illustration, we will make the assumption that this variable will stay constant. As such, the current rebate based on 70% of \$105.41/device (\$73.79) yields approximately \$36,895 per month, or \$442,740 per year. And, the proposed Amendment based on 32%** of \$83.33/device (\$26.67) yields approximately \$13,335 per month, or \$160,020 per year. Over the next twelve (12) months (spanning two fiscal years), the City will recognize a savings of approximately \$282,720 with respect to its existing obligation. The City will realize an approximate savings of \$141,360 in second half of FY 2015 and another \$141,360 in the first half of FY 2016.

However, the benefit of the initial bargain that currently belongs to the City (savings of the amount the City is not obligated to under the current Agreement) will now transfer to the benefit of the Casino under the proposed Amendment. Notwithstanding the foregoing statement, it is important to note that the City did initially contemplate a payout of \$6.6 million in the original Agreement; the only difference here is that the payout is scheduled over a longer period of time than the 10-year timeframe that was established in the original Agreement.

Under the current Agreement, the City would not recognize any savings in CY 2015, and it would have to appropriate approximately \$221,370 in FY 2016 to complete its obligation. However, it would then recognize a savings of \$221,370 in FY 2016 (compared to CY 2015), and then a savings of \$442,740 each year thereafter. And, under the proposed Amendment, the City will have to appropriate approximately \$160,020 in FY 2016 and every year thereafter until the maximum rebate amount of \$6.6 million is reached (approximately 14 years***).

* **Note:** This figure includes the “10th year” of the rebate that the City is already obligated to under the existing Agreement. The additional (net) financial liability accepted by the City under the proposed Amendment (that it is not currently obligated to) is equal to approximately \$1,879,395.90.

** **Note:** The more accurate calculation that reallocates the 25% figure from the two fees (\$26.35) into an exact percentage of the one fee results in a percentage of 31.625%, so we rounded up to 32% (\$26.67) for ease of accounting. And, based on the assumption that the aggregate number of \$6.6 million is agreed upon, the rounded figure has no material impact on the rebate program. Likewise, the number of devices has no material impact on the maximum rebate amount, as any adjustment in the number of devices has a proportionate impact on the amount of the rebate. In the end, the \$6.6 million amount remains the only constant figure.

*** **Note:** Under the proposed Amendment, the outstanding obligation at the end of FY 2015 will be \$2,242,125.90 (after approximately \$80,010 is rebated over the remainder of the fiscal year). And with annual rebate payments of \$160,020, it will take approximately 14 years to satisfy that obligation (last rebate would occur in FY 2029).

Mayor Pro Tem Heider noted that there are 499 parking spaces with 311 spaces reserved for casino patrons with the remainder available to residents.

Mayor Pro Tem Heider moved to approve Resolution No. 15-12: A resolution appropriating additional sums of money in relation to the creation of the Transportation Enterprise Fund not appropriated in the 2015 Budget for the City of Central. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

STAFF UPDATES

City Manager Miera updated Council on the following projects: that striping in the City will be done on July 10th; Xcel will complete work the week of July 20th; KOP is on track to complete stabilization by the end of July; Caselle is working with staff to get the software up by year end; and the new archway sign has not had any cost to the City with the original sign in storage so it could be put back up in 2 years if it is not shown to be a successful effort marketing effort.

COUNCIL COMMENTS

Alderman Gaines offered thanks to the Police Department for the extra efforts on July 4th and thanked staff for meeting with Prospectors Run resident Tom Poe.

Alderman Voorhies noted that every call she has received about the new archway sign has been negative and feels that Central City has lost our identity.

Mayor Pro Tem Heider agreed with Alderman Voorhies about the archway sign. She thanked the Police Department for manning the closure on the Casey on July 4th.

City Manager Miera added his compliments to the Police and Fire Departments for outstanding work on July 4th and to Public Works for all their extra effort with events.

Alderman Laratta added that the City looks inviting with all the beautification yet the DO NOT ENTER sign remains.

PUBLICFORUM/AUDIENCEPARTICIPATION

Barbara Thielemann, 101 H Street, thanked the community for their support and participation in the First Friday event on July 3rd as well as the Public Works staff for their help with the event.

EXECUTIVE SESSION

Mayor Pro Tem Heider moved to adjourned into Executive Session pursuant to C.R.S. 24-6-402(4)(e) for the purposes of developing positions relative to matters that may be subject to negotiations; developing strategies for negotiations; and instructing negotiators regarding property located on Nevada Street in Central City. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

At 8:10 p.m., Mayor Engels adjourned the meeting.
The next Council meeting is scheduled for July 21, 2015 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk

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

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 6:45 p.m., in City Hall on July 21, 2015.

ROLL CALL

Present: Mayor Pro Tem Heider
Alderman Voorhies
Alderman Gaines
Alderman Laratta

Absent: Mayor Engels

Staff Present: City Manager Miera
City Clerk Bechtel
Attorney McAskin
Public Works Director Sam Hoover

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.

ACTION ITEMS: NEW BUSINESS

Resolution No. 15-17: *A resolution of the City Council of the City of Central, Colorado, authorizing two (2) single family detached units to be served by a common service line and tap in accordance with Section 13-1-150 of the Municipal Code.*

City Manager Miera gave the background as follows: the City received a request from Mr. Jack Hidahl (206 E. Third High Street) to permit multiple meter settings on a single water service line, tap, and meter pit or curb stop box. Historically, the above-referenced property and an adjacent property (211 E. Fourth High Street) have been served by a single service line, tap, and meter. The request is to allow the two (2) properties to continue to transport water from the single existing tap and service line, but into two (2) separate meters instead of one (1), and that both meters may be located within the same meter pit or curb stop box.

The current setup where the two (2) subject properties are both served by the same tap, service line, and meter has been a long-standing problem for the property owners, as well as the City. In fact, there was a lawsuit between the two property owners to establish the appropriate easements that would allow the aforementioned request to be implemented. The lawsuit established a water

service line easement for Property #1 that bisects Property #2, which allows Property #1 to receive water from the Main Water Line located on E. Fourth High St. The lawsuit also established an easement for a sewer line for Property #2 that bisects Property #1, which allows Property #2 to dispose of its sewage into a Main Sewer Line located on E. Third High St.

There are essentially two (2) ways to solve the existing problem. The first option would require Property #1 to abandon the existing water service line running through Property #2, and install a new water service line and backflow preventer that would connect to a new meter in a new meter pit or curb stop box, which would be fed from a new single service line and tap off of the Main Water Line on E. Third High St. The second option (“the request”) would allow the existing water service line to remain within Property #2, and the current single service line from the existing tap off of the Main Water Line on E. Fourth High St. would remain in place; however, instead of one meter serving both properties, there would be another (second) meter installed within the existing meter pit or curb stop box, including a new backflow preventer, which would result in both properties being separately metered.

In either scenario, the City would not receive the plant investment fee (“tap fee”), as Chapter 13 of the Municipal Code essentially waives said fee when this type of cure or remedy is implemented. However, other related licensing and/or permitting and inspection fees will be paid to the City by Mr. Hidahl. The City will provide the meter and the cost sharing will apply the same as all residents.

From this point forward, the City’s Water Fund will recognize additional revenue, as either solution would add an additional water account to the system. That is a minimum increase in revenue to the Water Fund of \$720/year using the current fee structure.

Option #2 as described above is the recommended solution, and as such, it is presented within Resolution No. 15-16 for your consideration and approval. This option achieves the most important end result (two properties that are separately metered and separately billed), and accomplishes it in the most reasonable and economically-sensible way.

Jack Hidahl, 211 East Third High, stated that there would not be a precedent set since 215 East Third already has a meter pit with two meters.

Alderman Gaines moved to approve Resolution No. 15-17: A resolution of the City Council of the City of Central, Colorado, authorizing two (2) single family detached units to be served by a common service line and tap in accordance with Section 13-1-150 of the Municipal Code. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

COUNCIL COMMENTS

Alderman Gaines noted that work on Eureka/Prosser has finally begun. City Manager Miera stated that they had some prep work and will be back July 27 to continue pulling utility poles and start the milling and overlay of new asphalt.

Alderman Gaines read a statement of commitment to serving her term on Council.

Alderman Voorhies expressed thanks to Public Works for cutting weeds and making the City look nice. Also, there have been a couple of positive comments about the new Casino Parkway sign.

At 7:12 p.m., Mayor Pro Tem Heider adjourned the meeting.
The next Council meeting is scheduled for August 4, 2015 at 7:00 p.m.

Kathy Heider, Mayor Pro Tem

Reba Bechtel, City Clerk



AGENDA ITEM # 7

BOARD OF ADJUSTMENT COMMUNICATION FORM

FROM: Greg Thompson, Consulting Planner

THROUGH: Marcus McAskin, City Attorney

DATE: July 30, 2015

ITEM: Request for Front Setback Variance (6'6" setback instead of 25') for the Premises known as the Shores Residence, located on Eureka Street.

NEXT STEP: Hear and Render Decision on Variance Request

ORDINANCE
 MOTION
 RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

The applicant is proposing to build a new home on the north side of Eureka Street, Lots 19 and 20 (the "Subject Property").

The Subject Property is located in the Medium Density Residential (MDR) zone district.

The size of the home proposed to be constructed on the Subject Property is approximately 20'-8" x 50'-0" with a small courtyard on each end and a covered 6' deep porch across the full length of the front. The HPC reviewed the plans at its June 10, 2015 meeting and approved the plans as presented with a condition of approval that a variance be granted allowing a 6'6" front yard setback; a 25' minimum front yard setback is required per the table set forth in Section 16-2-60 of the Code.

The Board of Adjustment ("Board") is vested with the authority to hear and decide, grant or deny applications for variances from the provisions Chapter 16 of the Code (the Zoning Ordinance).

Pursuant to Resolution 11-04 dated August 3, 2004, the Mayor and members of City Council sit as the Board. A copy of Resolution 11-04 is attached to this Communication Form as ATTACHMENT A.

II. RECOMMENDED ACTION / NEXT STEP:

1. Convene as the Board of Adjustment.
2. Elect a Chairperson of the Board in accordance with Section 16-8-40 of the Code.
3. Conduct a hearing on the proposed variance request (modified front yard setback in MDR zone district).
4. The Board may grant a variance only if it makes findings that all of the following requirements, insofar as applicable, have been satisfied:
 - a. That there are unique physical circumstances or conditions such as irregularity, narrowness, or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property;
 - b. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located;
 - c. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of [Chapter 16 of the Municipal Code];
 - d. That such unnecessary hardship has not been created by the applicant;
 - e. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use or development of adjacent property; and
 - f. That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions of [Chapter 16 of the Municipal Code] which are in question.
5. In addition, the **concurring vote of four (4) members of the Board is required to approve a variance** (reference Section 16-8-60 of the Code).

Staff is recommending approval of the variance, as more specifically discussed in Section IV of this Communication Form below.

III. FISCAL IMPACTS:

None.

IV. BACKGROUND INFORMATION:

HPC - The Historic Preservation Commission reviewed and approved the building elevations and site plan for the Subject Property at its June 10, 2015 meeting and approved the request, subject to a condition that a variance for the front yard setback was obtained from the Board.

Subject Property and Site Observations

- The topography of the site slopes steeply from the north to the south towards the street.
- The site contains several existing rock walls and the proposed structure integrates one of the existing rock walls into the back wall of the structure.
- The proposed design minimizes the impact to the existing site walls and topography.
- The proposed front porch canopy, encroaches into the 25' front yard setback by approximately 18'-6".

Design Guidelines

- Municipal Code, Chapter 16 Zoning - Medium Density Residential (MDR)
 - 16-2-60 Yard and bulk requirements.
 - 16-8-110(2) Variance Criteria
- Design Guidelines for Central City – September 28, 1993
 - Chapter 3, Guideline 25
 - Chapter 3, Guideline 27
 - Chapter 3, Guideline 41
 - Chapter 12 Eureka/Prosser Street Residential Neighborhood Goals

Analysis of Variance Criteria

My responses to each of the criteria are set forth below. I will also be available to answer any questions during the variance hearing regarding any of the criteria set forth below.

- a. That there are unique physical circumstances or conditions such as irregularity, narrowness, or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property;

As discussed above, the Subject Property slopes steeply from the north to the south. The applicants are interested in building the structure and not damaging existing rock walls. A front variance is needed. The lot is shallower than usual based on the location of the existing rock walls.

- b. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located;

The Subject Property has site development constraints that are similar to a variety of properties in the MDR zone district and neighborhood.

- c. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of [Chapter 16 of the Municipal Code];

By preserving the existing rock walls on-site, the applicant has proposed a building which is closer to the street than typical, but appears to be in a location that is historically consistent with other structures on the same site.

- d. That such unnecessary hardship has not been created by the applicant;

The steep slope of the Subject Property and existing rock walls were not created by the applicant.

- e. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use or development of adjacent property; and

The variance, if granted, will not substantially or permanently impair the appropriate use or development of adjacent property. Other nearby lots are not currently built upon. The proposed setback appears to be similar to other structures further down Eureka Street

- f. That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions of [Chapter 16 of the Municipal Code] which are in question.

The requested variance is the minimum variance that will afford relief.

V. LEGAL ISSUES:

None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None.

VII. SUMMARY AND ALTERNATIVES:

1. Move to approve the setback variance request.
2. Move to continue the hearing.
3. Move to deny the proposed setback variance request.

VIII. STAFF RECOMMENDATION:

APPROVAL OF RESOLUTION:

I MOVE TO APPROVE RESOLUTION NO. 15-BOA-01, A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF CENTRAL, COLORADO, APPROVING A VARIANCE FROM SETBACK REQUIREMENTS UNDER THE CITY'S ZONING ORDINANCE BASED ON A FINDING OF THE BOARD THAT THE VARIANCE APPLICATION MEETS THE APPLICABLE APPROVAL CRITERIA SET FORTH IN SECTION 16-8-110(2) OF THE ZONING ORDINANCE, AS MORE SPECIFICALLY SET FORTH IN THE BOARD OF ADJUSTMENT COMMUNICATION FORM DATED JULY 30, 2015.

Attachments:

- Resolution No. 11-04
- Resolution No. 15-BOA-01

ATTACHMENT A

CITY OF CENTRAL, COLORADO

RESOLUTION NO. 11-04

**A RESOLUTION APPOINTING THE MAYOR AND MEMBERS OF CITY COUNCIL
AS THE BOARD OF ADJUSTMENT**

WHEREAS, the City of Central is authorized pursuant to C.R.S. Section 31-23-307 and its Home Rule Charter, to establish a Board of Adjustment to hear variances and appeals from the City's zoning regulations; and

WHEREAS, there are currently no appointed members on the Board of Adjustment; and

WHEREAS, the City of Central, as a small community, has limited resources to appoint members of a board of adjustment; and

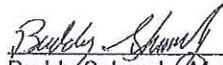
WHEREAS, the City Council wishes to serve as the Board of Adjustment until such time as the Council appoints other members of the community to serve as such Board.

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

Section 1. The Mayor and members of City Council are hereby appointed to serve as the members of the Central City Board of Adjustments whose terms of appointment shall coincide with terms of office of the City Council members.

Section 2. This Resolution is effective upon adoption.

DONE AND RESOLVED THIS 3 DAY OF AUGUST, 2004.


Buddy Schmalz, Mayor

ATTEST:


Tralee Clark, Interim City Clerk

CITY OF CENTRAL, COLORADO

**BOARD OF ADJUSTMENT
RESOLUTION NO. 15-BOA-01**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF
CENTRAL, COLORADO APPROVING A VARIANCE REQUEST
SUBMITTED FOR PROPERTY KNOWN AS THE SHORES RESIDENCE,
AND SETTING FORTH FINDINGS OF FACT**

WHEREAS, pursuant to the Home Rule Charter of the City of Central (“City”) and Article 23, Title 31 of the Colorado Revised Statutes, the City has authority to regulate the development of land, streets and utilities within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, through Chapter 16 of the Municipal Code (the “Zoning Ordinance”), the Board of Adjustment of the City of Central is authorized to grant variances to allow variations from the strict application of the requirements of the Zoning Ordinance; and

WHEREAS, the Board of Adjustment considered a variance application submitted by the Shores (“Applicant”) to allow for a variance to the front yard setback for a new single-family home proposed to be constructed on Lots 19 and 20, Eureka Street (the “Subject Property”); and

WHEREAS, the Subject Property is zoned MDR; and

WHEREAS, the Applicant specifically requests the following variance:

- (1) to establish a front yard setback of six feet six inches (6’6”) for the Subject Property where twenty five feet (25’) is required by Section 16-2-60 of the Zoning Ordinance; and

WHEREAS, in accordance with Section 16-8-110(2) of the Zoning Ordinance, the Board of Adjustment heard that variance request on August 4, 2015, in City Hall located at 141 Nevada Street, Central City, Colorado; and

WHEREAS, the Board of Adjustment has further determined that based upon the testimony and the analysis set forth in the Communication Form prepared by the City’s Consulting Planner that the Applicant’s request for a reduced front yard setback is merited and has satisfied the applicable approval criteria set forth in Section 16-8-110(2)(a) – (f) of the Zoning Ordinance; and

WHEREAS, the administrative record for this case includes, but is not limited to, the City of Central Zoning Ordinance (Chapter 16 of the Municipal Code), the City of Central Comprehensive Plan, the City’s Design Guidelines, all other applicable ordinances, resolutions and regulations, the Communication Form presented to Board of Adjustment, the application and all other submittals of the Applicant, any and all submittals by members of the public, and the

tape recording and minutes of the Board of Adjustment meeting at which this application was considered.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT FOR THE CITY OF CENTRAL, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as findings of the Board of Adjustment.

Section 2. The Board hereby:

- Approves the Shores Residence Variance, based on the Board's determination that the Variance application meets all of the approval criteria set forth in Section 16-8-110(2) of the Zoning Ordinance, as more fully discussed in the Communication Form dated July 30, 2015.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the Board of Adjustment.

ADOPTED THIS 4th DAY OF AUGUST, 2015.

**BOARD OF ADJUSTMENT FOR THE CITY
OF CENTRAL, COLORADO**

By: _____
Ronald E. Engels, Chairperson

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney



AGENDA ITEM # 8

CITY COUNCIL COMMUNICATION FORM

FROM: Marcus McAskin, City Attorney

DATE: July 30, 2015

ITEM: Ordinance 15-06 Amending Article 6 of Chapter 6 of the Municipal Code Regarding Entertainment Districts

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Ordinance No. 15-06 proposes amendments to Article 6 of Chapter 6 of the Central Municipal Code concerning entertainment districts and the hours of operation of a common consumption area.

The amendment would remove the limitation currently set forth in Section 6-6-80(e)(6) which prohibits the consumption of alcoholic beverages in any common consumption area after 10 p.m. and would further amend the Municipal Code to allow a promotional association to request extended hours of operation between 2:00 a.m. and 7:00 a.m. as part of its application for designation as a common consumption area.

In addition, Section 6-6-70(b)(6) is amended to require a promotional association to specifically identify any portion of the common consumption area that is proposed to be located outside (out of doors) and to provide a detailed description of the promotional association's plan to comply with the maximum db(A) levels established in Section 7-2-210(a) of the Municipal Code ("Maximum Permissible Noise Levels").

City Council considered this topic at the July 21, 2015 work session.

The City Council is being asked to consider Ordinance 15-06 on first reading on August 4, 2015.

- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Ordinance No. 15-06 on first reading and schedule a public hearing and second reading of the Ordinance on a time and date certain.

Currently, it is anticipated that second reading of the Ordinance will occur on Tuesday, September 1, 2015.

- III. **FISCAL IMPACTS:** N/A.

- IV. **BACKGROUND INFORMATION:** The proposed amendments to Article 6 of Chapter 6 of the Municipal Code as set forth in Ordinance No. 15-06 include the following:

- Amend Article 6 of Chapter 6 of the Municipal Code concerning entertainment districts by removing the current 10:00 p.m. limitation on hours of operation of a common consumption area
- Amend Article 6 of Chapter 6 of the Municipal Code to allow a promotional association to request extended hours of operation between 2:00 a.m. and 7:00 a.m. as part of its application for designation as a common consumption area
- Amend Article 6 of Chapter 6 of the Municipal Code concerning entertainment districts to require the applicant (a promotional association) to specifically identify any portion of the common consumption area that is proposed to be located outside (out of doors) and to provide a detailed description of the promotional association's plan to comply with the maximum db(A) levels established in Section 7-2-210(a) of the Municipal Code ("Maximum Permissible Noise Levels")

A copy of Ordinance 15-06 is attached to this Council Communication Form.

- V. **LEGAL ISSUES:**

C.R.S. § 12-47-301(11) authorizes the expanded consumption of alcohol within common areas located within designated entertainment districts that are established by local jurisdictions. Pursuant to Ordinance No. 12-06, the City Council established the Central City Entertainment District and authorized the licensing of designated common consumption areas. The City's Entertainment District regulations are codified in Article 6 of Chapter 6 of the Municipal Code.

In accordance with C.R.S. § 12-47-301(11)(f), a local licensing authority may set hours during which a common consumption area and attached licensed premises may serve alcohol. The Liquor Enforcement Division of the Colorado Department of Revenue, in consultation with the Colorado Attorney General's Office, issued Bulletin 14-01 dated October 1, 2014, which bulletin concludes that a local licensing authority has the authority to set hours of operation outside of the 2:00 a.m. to 7:00 a.m. restriction set forth in C.R.S. § 12-47-901(5)(b).

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

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

- (1) Adopt Ordinance No. 15-06 on first 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 first reading;
or
- (3) Reject or deny the Ordinance.

RECOMMENDED MOTION: "I MOVE TO APPROVE ORDINANCE 15-06, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING ARTICLE 6 OF CHAPTER 6 OF THE CITY OF CENTRAL MUNICIPAL CODE REGARDING ENTERTAINMENT DISTRICTS, ON FIRST READING AND FURTHER MOVE TO SET SECOND READING AND PUBLIC HEARING ON ORDINANCE 15-06 FOR TUESDAY, SEPTEMBER 1, 2015, AT 7:00 P.M. IN THESE CHAMBERS."

Attachments:

- Ordinance 15-06 (for first reading)

CITY OF CENTRAL, COLORADO

ORDINANCE 15-06

**AN ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 6 OF THE
CITY OF CENTRAL MUNICIPAL CODE REGARDING
ENTERTAINMENT DISTRICTS**

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, C.R.S. § 12-47-301(11) authorizes the expanded consumption of alcohol within common areas located within designated entertainment districts that are established by local jurisdictions; and

WHEREAS, pursuant to Ordinance No. 12-06, the City Council established the Central City Entertainment District, and authorized the licensing of designated common consumption areas; and

WHEREAS, the City's Entertainment District regulations are codified in Article VI of Chapter 6 of the Municipal Code; and

WHEREAS, in accordance with C.R.S. § 12-47-301(11)(f), a local licensing authority may set hours during which a common consumption area and attached licensed premises may serve alcohol; and

WHEREAS, the Liquor Enforcement Division of the Colorado Department of Revenue, in consultation with the Colorado Attorney General's Office, issued Bulletin 14-01 dated October 1, 2014, which bulletin concludes that a local licensing authority has the authority to set hours of operation outside of the 2:00 a.m. to 7:00 a.m. restriction set forth in C.R.S. § 12-47-901(5)(b); and

WHEREAS, Section 6-6-80(e)(6) of the Municipal Code currently prohibits the consumption of alcoholic beverages in any common consumption area after 10:00 p.m.; and

WHEREAS, the City Council desires to amend Article 6 of Chapter 6 of the Municipal Code concerning entertainment districts by removing the current 10:00 p.m. limitation on hours of operation of a common consumption area; and

WHEREAS, City Council desires to further amend Article 6 of Chapter 6 of the Municipal Code to allow a promotional association to request extended hours of operation between 2:00 a.m. and 7:00 a.m. as part of its application for designation as a common consumption area.

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

Section 1. Section 6-6-70(b)(5) of the Municipal Code is hereby amended to require any application for a common consumption area to specifically include any request for extended hours of operation (between the hours of 2:00 a.m. and 7:00 a.m.), to read in full as follows:

- (5) Proposed hours, dates and days of operation of the common consumption area, specifically including any request for extended hours of operation of the common consumption area between 2:00 a.m. and 7:00 a.m.

Section 2. Section 6-6-70(b)(6) of the Municipal Code is hereby amended to require any application for a common consumption area to specifically include in the site plan a detailed description of whether any portion of the common consumption area will be located outside together with a detailed description of a plan to comply with the maximum db(A) levels established in Section 7-2-210(a) of the Code (“Maximum Permissible Noise Levels”), to read in full as follows:

- (6) A site plan detailing the proposed common consumption area, including the following information: boundaries of the area, including the specific identification of any portion(s) of the area that is proposed to be located out of doors, 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; restrictions associated with the common consumption area; and a detailed description of the promotional association’s plan to comply with the maximum db(A) levels established in Section 7-2-210(a) of the Municipal Code.

Section 3. Section 6-6-80 of the Municipal Code is hereby amended to delete subsection (e)(6) in its entirety.

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Central, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

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 4th day of August, 2015, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the ___ day of _____, 2015.

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 _____, 2015.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on _____, 2015.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

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

From: Reba Bechtel, City Clerk

Date: August 4, 2015

Re: Bi-weekly Report

- Prep for Regular Council meeting
- HPC meeting and Packet prep for 7/8/15
- Met with Police Chief and applicants for a retail marijuana store at 171 Lawrence which will come forward on 9/1/15
- Assisted HPO Thompson with various requests
- Met with the owner of the "tibex" house at 330 Lawrence-Hallelujah!!
- Misc information regarding: sign permits, special events, building permits, code questions, HP, records research, liquor, marijuana, and zoning information and the list goes on and on.

To: Daniel R. Miera, City Manager
Cc: Mayor and Council
From: Abigail R. Adame, Finance Director
Date: August 4, 2015
Re: Staff Report

➤ **Finance**

- SIB loan monies have been deposited into our account with UMB Bank.
- Attended the CCFD Pension Board meeting and provided information regarding the financial status of the Fund.
- Finalized and submitted the annual HUTF report.
- Completed and submitted the quarterly 941s and State Unemployment Tax.
- Submitted a claim to CIRSA regarding a water leak at the Fire Station.
- Prepared and submitted the 2014 Management Discussion and Analysis (MD&A) to the auditors. The audit is scheduled for submission to the State by the July 31 deadline.
- **Note:** Gaming proceeds for Fiscal Year 2015 will not be received in its entirety in late August due to the State having a delay in completing its financial statements. A partial distribution equal to 70 percent of the distribution made in FY 2014 from the limited gaming and extended limited gaming fund will be disbursed on August 27. The remainder is anticipated to be disbursed in September–October.
- Deputy Finance Director processed Accounts Payable, bi-weekly payroll and all associated tax and retirement filings.
- Deputy Finance Director processed Accounts Receivable and prepared weekly deposits.

➤ **Human Resources**

- Coordinated the medical examinations for two police officer applicants and prepared conditional job offers.

- Interviewed for the position of Water Operator and coordinated the background investigation for the selected applicant.
- Prepared a job description for the position of Public Utilities Director.
- Met with the consultant conducting the classification and compensation study and discussed details of the study and the approach in conducting such study.

Public Works

To: Mayor Engels, City Council, and Manager Miera

From: Sam Hoover, Director of Public Works

Date: July 31, 2015

Re: Bi-weekly Report

Here is a summary of work performed by Public Works over the past two weeks:

- A fire line located on the second floor of City Hall near council chambers developed a small leak and was repaired by a contractor. Damage to the floor and ceiling occurred from the leak. Staff repaired this damage.
- The City's sign contractor was dispatched to repair the Parkway sign on 7/29/15.
- A FEMA pre-bid meeting to repair the Parkway occurred. Four interested contractors attended the meeting.
- Xcel Energy started repairs on Eureka Street.

To: Daniel Miera, City Manager

From: Terry Krelle, Police Chief

Date: 07/30/15

Subject: Bi-Weekly Report



Attended Senior Staff Meetings

Completed normal administrative duties, processed and filed paperwork

We conducted interviews and finished testing on two of our applicants. We have an offer for employment issued and are waiting on a medical clearance.

I have attended several meetings, including work sessions and Council meetings throughout the period.

I attended the Pit Rally as well as an event de-briefing.

I attended a DA's breakfast meeting and the CACP Chief's Conference in Denver.

I will be out of the office on extended medical leave for up to 6 to 8 weeks, in my absence, Sgt Stanton will be handling day to day operations.

Outlaw Report

Officers handled seven dog calls and issued one summons for 4 dogs being at large.

An officer made one arrest for violation of a restraining order.

Officers took a report of the theft of gas cans and tea that had been chained to a motorcycle.

Officers towed one abandoned vehicle.

Sergeant Stanton made one felony warrant arrest.

An officer took a report of a dispute between a homeowner and building contractor. Subjects were advised to take the matter to civil court.

Officer took one private property motor vehicle accident report.

Officers responded to a report of a small bat at the opera house. Bat was captured and released unharmed in a less populated area.

Officers issued three traffic tickets and one criminal summons.

Officers were advised of a collapsed mine shaft in the city limits. Shaft was taped off with caution tape and Colorado Mine Safety was advised of the need to cap the shaft.

MEMORANDUM

DATE: 30 July, 2015

TO: Daniel Miera / City Manager

FROM: Gary Allen / Fire Chief

RE: **Activity Report**

The Fire Department has responded to 176 incidents as of 30 July, 2015 with 20 incidents being out of city, and of those 10 incidents was for Mutual Aid (MA) to other agencies. Following are the activities the department responded to and conducted for this reporting period.

Saturday 4 July, 2015 - 12:09 PM / Medical, 121 Main St.

Saturday 4 July, 2015 - 12:17 PM / Swift Water Rescue, MA to CCFA

Saturday 4 July, 2015 - 19:51 PM / Smoke Investigation, MM 5.8 CCP.

Sunday 5 July, 2015 - 00:55 AM / Medical, Building 3 GMV.

Sunday 5 July, 2015 - 01:30 AM / Odor Investigation, Building 3 GMV.

Monday 6 July, 2015 - 01:02 AM / Medical, 321 Gregory St.

Friday 10 July, 2015 - 21:02 PM / Fire Alarm, 321 Gregory St.

Saturday 11 July, 2015 - 16:33 PM / Medical, 6th High Street.

Monday 13 July, 2015 - 10:02 AM / Fire Alarm, 321 Gregory St.

Wednesday 15 July, 2015 - 07:03 AM / Gas odor investigation, 424 5th High St.

Thursday 16 July, 2015 - 19:40 PM / Medical, 321 Gregory St.

Friday 17 July, 2015 - 11:00 AM / MVA, 132 Lawrence St.

Saturday 18 July, 2015 - 20:25 PM /

Sunday 19 July, 2015 - 08:39 AM / Medical, 3rd High Street

Sunday 19 July, 2015 - 10:37 AM / MVA, Upper Apex Road & Apex Valley Road

Sunday 19 July, 2015 - 15:47 PM /

Sunday 19 July, 2015 - 22:53 PM / Medical, 321 Gregory St.

Monday 20 July, 2015 - 11:23 PM /

Monday 20 July, 2015 - 12:42 PM / Medical, 109 Main St.

Wednesday 22 July, 2015 - 00:13 AM / Medical, 109 Main St.

Friday 24 July, 2015 - 11:19 AM /

Saturday 25 July, 2015 - 22:51 PM / Medical, 102 Main St.

Training

Begin and Conducted Rookie Training class with one new volunteer. This will be on every Monday and Thursday from 17:00 PM to 21:00 PM. Finished up on 28 July.

Conducted Truck & Station Maintenance at Sta. 2.

Assisted Black Hawk Fire with the fireworks show on the 4th of July from 18:00 PM to 23:00 PM.

Conducted review and preparation work for our Extrication class on Saturday 11 July.

Conducted Extrication training at Station 2 on Saturday 11 July.

Attend and Conduct a joint Low Angle Rescue class with Chief Kelly Babeon and his CCFA folks at MM 1 on the CCP, also in preparations of the Pit Rally but not because of it. Coincidentally it fell on the schedule that way.

Hosted joint medical training with Timberline Fire and St. Anthony's Hospital at Station 2

Meetings

Attended Staff meetings at City Hall.

Attend and conducted a Pension Board meeting at City Hall.

Attend a City Council meeting at City hall.

Attend a radio coverage meeting at Black Hawk Fire Station.

Attend a Safety Fair meeting at Station 2 for the upcoming 2015 fair.

Attend a Pay & Compensation meeting at City Hall.

Attend a After Action Review / Briefing of the pit rally race at City Hall.

Apparatus

Took B-32 (2000 Ford) down to Front Range Fire Apparatus for yearly service and some pump repairs along with some fabrication work, on Monday 6 July, it is still out of service.

Change out both batteries in R-31.

Take a siren control box down to Front Range for B-32.

Work on a charging problem on Tender 32 (1979 Chevy). Found that the Alternator went bad, but it took me a day to find a replacement. I could not find a replacement with a new one so we had to have the bad one remanufactured.

General

Attended an Escort procession of the body of the Flight for Life pilot who was killed in Frisco from Summit County to Golden.

Attend and conducted an honor support of the return procession for the Flight for Life pilot Patrick Delany back to Silverthorne for his memorial service. This was done on the Floyd Hill bridge over I-70 west bound.

Met with a Cirsa appraiser for rain water leak at Station 1.

Cut blow done tree off Station 1, cleaned out gutter and down spout. The tree knocked the gutter loose from the building and the leaves that fell off the tree plugged up the gutter system.

Went to Front Range to retrieve the Extrication and rope rescue equipment so we have it for the Pit Rally. I was hoping that B-32 would have gotten back prior to the race but it will not and remains out of service for a fire water pump problem(it's wore out).

Attended and manned the safety coverage for the Central City Pit Rally race on the CCP both Friday 17 July and Saturday 18 July. We had a crew of 7 on Friday and 9 on Saturday who worked from 06:00 AM to 13:00 PM (1:00 PM) on Friday and 06:00 AM to 19:00 PM (7:00 PM) by the time we got everything rearranged, cleaned-up, re-stocked and put away.