

**CITY OF CENTRAL  
CITY COUNCIL MEETING  
August 5, 2014**

**CALL TO ORDER**

A regular meeting of the City Council for the City of Central was called to order by Mayor *pro tem* Spain at 7:09 p.m., in City Hall on August 5, 2014.

**ROLL CALL**

Present: Mayor *pro tem* Spain  
Alderman Gaines  
Alderman Heider  
Alderman Voorhies

Absent: Mayor Engels

Staff Present: City Manager Miera  
City Clerk Bechtel  
Attorney Guckenberger  
Utilities Superintendent Griffith  
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 Heider moved to approve the consent agenda containing the regular bill lists for July 17, 24 and 31, 2014; and the City Council minutes for the meeting on July 15, 2014. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

**PUBLIC FORUM/AUDIENCE PARTICIPATION**

No one requested time to address the Council.

**ACTION ITEMS: NEW BUSINESS**

Prospectors Run Snow Removal Agreement

Utilities/PW Superintendent Griffith gave the background as follows:

In January of 2010, the City entered into an Agreement with the Prospectors Run Homeowners Association (HOA) regarding snow removal on Mack Road for the period of January 1, 2010 through May 31, 2010. The HOA agreed to provide snow removal services for Mack Road at a cost to the City of \$800 per month. This Agreement was originally entered into in order to help mitigate any possible effects that the City's sand/salt ice mixture was having on Mack Road as it is not

asphalt. The agreement has been renewed four subsequent times most recently for the 2013-2014 winter season. The attached Agreement is for a continuation of the same services with no changes or increase in cost for the 2014-2015 snow season with a time period of October 1, 2014 through April 30, 2015. The total contract amount is for \$5,600 or \$800 per month. This amount is reflected in the City's adopted 2014 Budget and will be part of the 2015 Proposed Budget in the Public Works Department.

Alderman Gaines clarified that this agreement crosses our fiscal year.

Alderman Voorhies moved to approve the Agreement for Snow Removal Services between the City of Central and Prospectors Run HOA. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

Ordinance No. 14-07: *An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Article IX of Chapter 6 and Article I of Chapter 16 of the Central City Municipal Code.*

Attorney Guckenberger gave the background as follows: Ordinance No. 14-07 proposes minor revisions to Chapters 6 and 16 of the Municipal Code. Section 16-10-20 of the Municipal Code requires that any proposed amendments to the Zoning Ordinance be referred to the City's Planning Commission for study and recommendation which is scheduled to hold a public hearing on Wednesday, September 3, 2014 in order to consider the proposed revision to the Zoning Ordinance. Following the conclusion of the public hearing, Planning Commission will make a recommendation to City Council regarding that portion of the proposed ordinance which makes changes to the Zoning Ordinance.

Currently, it is anticipated that second reading of the Ordinance will occur on Tuesday, September 16, 2014, in order to provide the Planning Commission with the opportunity to complete the public hearing and forward its recommendation to the City Council.

Following policy guidance from City Council at the July 15, 2014 work session, the proposed ordinance bans marijuana clubs, businesses, and all other commercial marijuana operations that are not contemplated or authorized by Colorado law or City ordinance.

By virtue of an amendment to the state constitution in 2000 known as Amendment 20, Colorado voters created a limited exception to state criminal laws for persons using marijuana for authorized medical reasons. Pursuant to that amendment, the Colorado legislature declared unlawful *any* operation related to the production and sale of medical marijuana *except* three types of businesses that it authorized via the state Medical Marijuana Code. In a similar fashion, Amendment 64 and its implementing statutes only authorize four types of commercial operations related to retail marijuana: retail marijuana stores and cultivation, products manufacturing, and testing facilities. The City has banned three of the four commercial operations authorized pursuant to Amendment 64, and currently only allows the operation of retail marijuana stores within City boundaries.

Neither state law nor the City's existing marijuana regulations contemplate, authorize, permit, or protect any other type of business related to marijuana. However, City Staff is aware that entrepreneurs are proposing new business models related to marijuana. For example, the City Clerk has received an informal inquiry from a group interested in redeveloping Scarlett's Casino to include a venue for smoking marijuana and consuming other marijuana products in addition to a movie theater and restaurant. City regulations do not currently permit this type of land use.

This proposed ordinance would clarify that the City does not permit any other type of marijuana-related business other than those medical marijuana establishments and retail marijuana stores that the City specifically allows and regulates.

Alderman Gaines moved to adopt Ordinance No. 14-07: An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Article IX of Chapter 6 and Article I of Chapter 16 of the Central City Municipal Code and set the Public Hearing for September 16, 2014 at 7:00 p.m. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Resolution No. 14-14: A resolution of the City Council of the City of Central, Colorado approving an agreement with Golder Associates, Inc. for certain water treatment plant control system improvements.

Utilities/PW Superintendent Griffith explained this request will retain Golder Associates, Inc to assist the City with upgrading the plant control system at the City's Water Treatment Plant, to assist the City with replacing the existing Emerson Control Panel with the Allen-Bradley CompactLogix PLC System, and to provide other services and support services as specifically detailed in Consultant's Proposal dated July 10, 2014 with a not to exceed amount of \$32,150 from line item #50 433 7421.

The Water Treatment Plant has a control system that is about 15 years old plus upgrades that have occurred over the years. The current hardware and software system has not been supported by the manufacturer in over 4 years. The new system will allow the City to operate the WTP with current technology.

Alderman Heider moved to approve Resolution No. 14-14: A resolution of the City Council of the City of Central, Colorado approving an agreement with Golder Associates, Inc. for certain water treatment plant control system improvements. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

## **STAFF UPDATES**

City Manager Miera addressed the Council and explained that he plans to have an open door policy with the community and staff and invited everyone to stop him on the street as well. Alderman Gaines welcomed him to the City and offered appreciation for his professional attire.

Utilities Superintendent Griffith explained that the Big T Lot holes were filled by Public Works as a safety precaution with time and materials billed back to Pinnacle.

City Clerk Bechtel explained the liquor renewal for the Central City Social Club helps the seller of that location to market the business as ready to open.

## **COUNCIL COMMENTS**

Alderman Gaines noted the Community Meeting for the Comp Plan tomorrow at 6:00 p.m.

Alderman Voorhies stated that comments about the Pit Rally event were positive except the shuttle service taking people out on the Parkway and back which did not have nearly the needed capacity. She also welcomed City Manager Miera to Central City.

Alderman Heider set a time to tour the FEMA repair locations with Utilities/PW Superintendent Griffith.

**PUBLIC FORUM/AUDIENCE PARTICIPATION**

No one requested time to address the Council.

At 7:35 p.m., Mayor *pro tem* Spain adjourned the meeting.  
The next Council meeting is scheduled for August 19, 2014 at 7:00 p.m.

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Robert Spain, Mayor *pro tem*

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Reba Bechtel, City Clerk