

**CITY OF CENTRAL
CITY COUNCIL MEETING
October 6, 2015**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on October 6, 2015.

ROLL CALL

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

Absent: None

Staff Present: City Manager Miera
City Clerk Bechtel
Attorney McAskin
Finance Director Adame
Public Works Director Hoover
Fire Chief Allen

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved with a change to move Ordinance No. 15-7 to be the first Action Item.

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 September 17, 24, and October 1; and the City Council minutes for the meeting on September 15, 2015. Alderman Laratta seconded. In discussion, Alderman Gaines questioned the cost for turnover in the Police Department. City Manager Miera offered that staff is working to make improvements in cost savings for that department. When Mayor Engels called the question, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

ACTION ITEMS: NEW BUSINESS

Ordinance No. 15-7: An ordinance of the City Council of the City of Central, Colorado repealing and reenacting Chapter 14 of the City of Central Municipal Code in its entirety regarding sign regulations.

Attorney McAskin gave the background as follows:

Ordinance No. 15-07 proposes a new sign code for the City. In accordance with Section 8.1 of the City's Home Rule Charter, the City retained special counsel, Mr. Todd Messenger with the law firm of Fairfield & Woods, to assist the City with drafting a new sign code, on the recommendation of the City Attorney. Mr. Messenger has worked closely with the steering committee formed to provide input and recommendations on the new sign code, and also attended meetings with the City's Historic Preservation Commission ("HPC") regarding the new sign code.

City Council considered the new sign code at the September 15 and October 6, 2015 work sessions.

The proposed sign code has regulations which are intended to balance First Amendment concerns with the City's interest in advancing important, substantial and compelling governmental interests. Elements of the new sign code include regulations addressing the following: (1) clarifying the content-neutrality of the City's sign regulations; (2) the number, area, structure and placement of signs; (3) allowed materials and design elements; (4) lighting and illumination of signs; and (5) the maintenance and duration of signs (including temporary signs).

The HPC considered the proposed Ordinance at a public hearing held on September 9, 2015. Following the conclusion of the HPC hearing, HPC recommended approval of the new sign code to City Council.

Mayor *pro tem* Heider moved to approve Ordinance No. 15-07: An ordinance of the City Council of the City of Central, Colorado repealing and reenacting Chapter 14 of the City of Central Municipal Code in its entirety regarding sign regulations with amendments to include: cross referencing the zoning map; add barber poles; move the definitions to the beginning of the chapter; clarify administrative and public hearing for permits; revise definition of signs to include attention-grabbers; change minimum signable area to be able to display a sign; change term *de minimus* to plain English; allow 3ft side walk clearance at entries that are recessed; change City Manager or designee to city Manager's designee; and delete references to EMC's on first reading and further move to set second reading and public hearing for Tuesday, November 3, 2015, at 7:00 p.m. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

Prospectors Run Snow Removal Agreement

Public Works Director Hoover reviewed the background:

In January 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 three subsequent times most recently for the 2014-2015 winter season. The proposed Agreement is for a continuation of the same services during the 2015-2016 snow season with a time period of October 1, 2015 through April 30, 2016. The total contract amount is for Five Thousand Six Hundred Dollars (\$5,600), or Eight Hundred Dollars (\$800) per

month. This amount is reflected in the City's adopted 2015 Budget and the 2016 Proposed Budget in the Public Works Department.

Mayor Engels asked about the current condition of Mack Road and if this agreement benefits the City. City Manager Miera stated that they use sand not salt to help with deterioration of the road and having this agreement allows the HOA to plow this street when they plow the other streets in the community and also frees up our City Crew to plow the rest of the City.

Jim Foreman, member of the new Prospectors Run HOA Board added that since August 31st they have seated a new board.

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

Acceptance of 2016 CIRSA Property/Casualty & WC Quotes

Finance Director Adame explained that the City has received CIRSA's Preliminary Contribution Quotes for 2016 Property/Casualty and Workers' Compensation Insurance coverage. In order for CIRSA to finalize the Quotes it is necessary for City Council to formally accept the quotes. By doing so, Council is choosing the City's insurance carrier for Property/Casualty and Workers' Compensation for 2016. CIRSA has granted a time extension and requires acceptance of their Preliminary Quotations by October 9, 2015.

- **Property/Casualty**- The Preliminary 2016 Quote is **\$74,677**. This is a decrease of 5.5% (\$4,365) from 2015's accepted premium amount. This quote reflects an overall decrease in CIRSA rates, a decrease in property/casualty claims from those made in 2015, and the fact that no major changes in equipment and/or vehicles are projected for the upcoming year. If major purchases in equipment and/or vehicles occur during 2016, a premium adjustment will be sent to the City when the assets are added to the policy. For reference, the City experienced an 8% cost decrease between 2014 and 2015.
- **Workers' Compensation**- The Preliminary 2016 quote is **\$46,935**. This is a decrease of 14% (\$7,803) from 2015's accepted premium amount. This quote is reflective of a decrease in CIRSA rates as well as an overall decrease in payroll (some of the most impacted class codes were some of the higher-rated codes, which in turn decreased the overall quote). For reference, the City experienced a 13% cost decrease between 2014 and 2015.

In May, the Finance Director prepares and submits to CIRSA information regarding the City's plans for personnel costs, property and equipment in the following year. CIRSA then uses this information along with the City's loss and claims history to prepare quotes for Property/Casualty and Workers' Compensation insurance coverage. Quotes are then submitted to City Council for formal approval. Once accepted by City Council, staff executes the Acceptance Form and returns it to CIRSA thereby committing to the quoted coverage for the following year.

The City did not request bids from other insurance agencies for 2016 because CIRSA is a preferred insurance provider for municipalities based on the advantages of participating in a pooled insurance group where all losses and gains are spread equally among all members. This method of pooling gains and losses generally equates to better pricing.

Alderman Voorhies moved to accept the 2016 CIRSA Property/Casualty and Worker’s Compensation Preliminary Contribution Quotations. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Ordinance No. 15-8: An ordinance of the City Council of the City of Central, Colorado approving a License Fee Rebate Agreement with G. F. Gaming Corporation.

Attorney McAskin explained that Ordinance No. 15-08 approves a License Fee Rebate Agreement (the “Rebate Agreement”) with G. F. Gaming Corporation (GF Gaming). The City is in need of securing funds in an amount sufficient to assist with the acquisition of the Big-T parking lot, together with funding necessary improvements to the parking lot.

GF Gaming has volunteered to assist the City in raising the necessary capital by pre-paying \$600,000 in annual license fees imposed in accordance with Section 6-5-30 of the Municipal Code, as the same may be amended from time to time, and as more specifically set forth in the Agreement. The initial draft of the Rebate Agreement is still in negotiations. The rebate will only be for the Device Fee and not the Transportation Fee.

Approval of the Rebate Agreement will require the City to recognize an additional \$600,000 in FY2015 revenue. The additional revenue was not anticipated when the FY2015 Budget was adopted. The fund and amounts of additional revenue are shown below:

<u>General Fund</u>	<u>Supplemental</u>	<u>Increase</u>
	(License Fee Revenue)	\$600,000
Total increase in Revenue (General Fund)		\$600,000

- **Interfund Transfer from the General Fund to the Capital Improvement Fund (\$600,000)**

Background information:

- GF Gaming has historically leased the Big-T parking lot from the current record owner, Pinnacle Entertainment, Inc.
- GF Gaming’s agreement to pre-pay license fees will allow the City to acquire the Big-T parking lot from Pinnacle, as well as pay for certain repairs to the parking lot that are required.
- In the short term, it is anticipated that the Big-T lot will function as a public surface parking lot, and that customers and employees of the casinos operated and managed by GF Gaming will be allowed to use the parking lot.

Alderman Gaines moved to adopt Ordinance No. 15-8: An ordinance of the City Council of the City of Central, Colorado approving a License Fee Rebate Agreement with G. F. Gaming Corporation with second reading and Public Hearing, Tuesday, November 3, 2015 at 7:00 p.m. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Ordinance No. 15-9: An ordinance of the City Council of the City of Central, Colorado approving the Acquisition of Property Commonly Known as the Big-T Parking Lot.

Attorney McAskin explained that Ordinance No. 15-09 approves the acquisition of certain property commonly known as the Big-T Parking Lot from the current record owner of the property, Pinnacle Entertainment, Inc., a Delaware corporation (“Pinnacle”).

The City and Pinnacle are in the final stages of finalizing the Purchase and Sale Agreement for the subject property (the “Purchase Agreement”). A copy of the a draft of the Purchase Agreement is will be on file with the City Clerk’s Office for review.

Approval of the Ordinance will require the City to expend General Fund monies to acquire the subject property and to fund anticipated improvements to the subject property. In the short term, the City anticipates operating the lot as a public parking lot.

Mayor Engels and Council expressed their thanks to the City Manager and City Attorney for their initiative and work to make this happen.

Alderman Voorhies moved to adopt Ordinance No. 15-9: An ordinance of the City Council of the City of Central, Colorado approving the Acquisition of Property Commonly Known as the Big-T Parking Lot. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

STAFF UPDATES

City Manager Miera responded to Council questions on the following:

Central City Parkway/FEMA Project – most of the work is complete except for the S curves and the project is scheduled to complete by mid October

KOP – fencing has been moved back closer to the building

Energy Mineral Impact Grant – awarded \$100K with \$100K match to updated the 2003 Comp Plan, Design Guidelines, Land Use Codes

Belvidere – Jay Williams has had 2 agreements with the County which have expired and will have additional requirements to complete his removal of the contents. The Structural Assessment should be complete by the end of November and the County has submitted a grant application to the State Historic Fund for roofing repairs with a match of \$17K of which any participation from the City has not yet been determined but will be reflected in the 2016 budget.

Alderman Gaines offered thanks to Public Works Director Hoover for the completion of the Xcel/Eureka Project.

COUNCIL COMMENTS

Mayor Engels presented Alderman Gaines with a Certificate of Appreciation and thanked her for her service to the City. All Council expressed their thanks and best wishes. Alderman Voorhies invited everyone to the farewell Open House for the Gaines on October 15 at the Elks.

PUBLICFORUM/AUDIENCEPARTICIPATION

Jack Hidahl, 206 E 3rd High, reported that his home and the adjacent property now have independent water lines and separate meters. He also offered his thanks to City Manager Miera and Attorney McAskin on their efforts to negotiate the purchase of the Big T Lot. All Council added their thanks as well.

At 7:48 p.m., Mayor Engels adjourned the meeting.

The next Council meeting is scheduled for October 20, 2015 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk