

**WOODLAND PARK CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBERS, CITY HALL  
FEBRUARY 15, 2007 – 7:00 P.M.**

**1. CALL TO ORDER AND ROLL CALL:** Crane called the meeting to order at 7:00 P.M. Morse called the roll, with the following Council members being present: Mayor Gary Crane, Jon DeVaux, Terry Harrison, Ken Matthews, Phil Mella, George Parkhurst and Steve Randolph.

**2. PRESENTATION OF FLAGS AND PLEDGE OF ALLEGIANCE LED BY BOY AND GIRL SCOUTS OF AMERICA:** Representatives from various Boy Scout and Girl Scout troops presented the colors and led the audience in the Pledge of Allegiance. Following the ceremony, Councilmembers presented each Scout and their leaders with a City pin and thanked them for the ceremony.

The following Staff Members were also in attendance:

City Manager Mark Fitzgerald	City Attorney Erin Smith
City Clerk Cindy Morse	Police Chief Robert Larson
Public Works Director David Buttery	Utilities Director Jim Schultz
City Planner Sally Riley	Deputy City Clerk Janell Sciacca
Park and Rec Director Cindy Keating	Planning Director Joe Napoleon

**3. CEREMONIES, PRESENTATIONS & APPOINTMENTS:**

**A.** Proclamation supporting the 97<sup>th</sup> Anniversary of Boy Scouts of America: Crane read the proclamation into the record.

**B.** Formal presentation regarding the building layout, recreational and wellness features to be included in the proposed Woodland Park Family YMCA:  
Crane introduced the members of the Woodland Park Family YMCA Building Committee, and the YMCA employees present in the audience. Buttery introduced the project, and provided a history of the development of this partnership. He introduced project architect Brian Risley, Christiansen-Reece Architects, who reviewed and described the project in detail, and answered Council's questions. Buttery wrapped-up, noting that this project is scheduled to begin in Spring 2008, with a grand opening planned in Spring 2009. Council thanked Buttery and Risley for their presentation.

**4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:** None.

**5. CONSENT CALENDAR:**

**A.** Approve minutes of February 1, 2007 Regular Meeting. **(A)**

**B.** Approve January 2007 Statement of Expenditures and authorize Mayor to sign warrants in payment thereof. **(A)**

**C.** Approve application from Woodland Capital, LLC for renewal of Tavern Liquor License for Eagle Fire Lodge located at 777 E. US Highway 24, to be effective May 11, 2007. **(QJ)**

**D.** Approve application from Valero Diamond Metro, Inc. for renewal of 3.2% Beer Retail Liquor License for Diamond Shamrock #1122 located at 520 W. US Highway 24, to be effective May 18, 2007. **(QJ)**

Crane read the Consent Calendar items into the record.

**MOTION:** To approve the Consent Calendar. Mella/Harrison. Motion carried 7-0.

**6. UNFINISHED BUSINESS:** None.

**7. ORDINANCES ON INITIAL POSTING:**

**A.** Approve Ordinance 1074 granting a Private Access, Utility and Drainage Easement across a portion of City Property located at the west end of Midland Avenue known as the Holland Tract and being a portion of the SE1/4 of the NE1/2 of Section 23, T12S, R69W of the 6<sup>th</sup> P.M. to Edward and Phyllis Shirk, owners of Lot 6, Block 1, Highland Hills Subdivision on initial posting and set the public hearing for March 1, 2007. **(QJ)**

**MOTION:** To approve Ordinance 1074 on initial posting and set the public hearing for March 1, 2007. Mella/Harrison. Motion carried 7-0.

**8. PUBLIC HEARINGS:**

**A.** Consider application from Teller County Regional Animal Shelter for Special Events Liquor Permit for Wine Tasting Fundraiser to be held at the Ute Pass Cultural Center located at 210 E. Midland Avenue on Friday March 23, 2007. **(QJ)**

Morse reviewed the staff report for Council and the viewing audience, noting that all application fees have been paid and the property was posted by signing as required by law. The public hearing was held without comment.

**MOTION:** To approve the application from Teller County Regional Animal Shelter for a Special Events Liquor Permit for March 23, 2007. Harrison/Parkhurst. Motion carried 7-0.

**B.** Consider Ordinance 1073 changing the zoning from Community Commercial (CC) to Central Business District (CBD) for a 22,500 square foot parcel of land being Lots 7-9, Block 10, Foster's Addition (more specifically 530 E. Chester Avenue) as requested by Gordon L. Johnson, trustee for owner Gordon L. and Ruth A. Johnson Living Trust. **(QJ)**

Riley reviewed the staff report and a brief PowerPoint presentation. She discussed the adjacent parcels and their uses. She noted that the Planning Commission reviewed this request and recommended approval. The public hearing was held. Applicant representative Steve Johnson, 613 N. Park Street, thanked Council for the opportunity to improve this parcel. There being no further comment the public hearing was closed.

**MOTION:** To approve Ordinance 1073. Mella/Randolph. Motion carried 7-0.

**9. NEW BUSINESS:**

**A. Consider Resolution 672 adopting the Parks, Trails & Open Space Master Plan: (L)**

Keating addressed Council and began a PowerPoint presentation discussing the history of this Master Plan and the public process used to prepare recommendations for development of four neighborhood parks. Members of the Parks and Recreation Advisory Board reviewed the proposed improvements to Crestwood Park, Red Mountain Park, Chimney Park and Sun Valley Park. Keating reported that the Crestwood Park improvement project is included in the City's 2007 budget, and reminded Council that we received a grant from Great Outdoors Colorado to assist with this project. Council thanked Keating and the Parks Board members for this presentation. Mella specifically thanked Keating for the sensitive and caring way that this process approached each park project.

**MOTION:** To approve Resolution 672 adopting the 2007 Parks, Trails and Open Space Master Plan. Crane/Parkhurst. Motion carried 7-0.

**B. Consider Resolution 673 authorizing a Three Party Collateral Agreement for the Golf Course Augmentation Water Agreement. (A)**

Schultz reviewed this agreement, noting that there are three parties to this agreement – United Western Bank; the new purchaser Sandbox Development; and the City of Woodland Park. He reported that this agreement is collateral because it makes the golf course augmentation agreement part of the new purchaser's collateral for securing financing from the bank. He noted that if the bank should foreclose on the golf course property, this agreement will provide for the augmentation water agreement to transfer with the property back to the bank so their collateral's value can be maintained. Schultz reported that City Attorney Smith reviewed this agreement prior to consideration by Council tonight.

**MOTION:** To approve Resolution 673. Harrison/DeVaux. Motion carried 7-0.

**C. Consider a 2-month extension to the City's Consent to Assignment and Acceptance of the Golf Course Augmentation Water Agreement. (A)**

Schultz reported that closing on the golf course has not occurred as of this date and will likely not occur by the current March 7 deadline. He reported that both the seller and buyer continue to work toward closing, and noted that an extension to the consent is appropriate, and suggested a two-month extension.

**MOTION:** To approve a two-month extension to May 7, 2007 for the closing date deadline for purchase of the Shining Mountain Golf Course by David Santistevan and Sandbox Development modifying condition number 2 of City Council's

December 7, 2006 consent to assign the golf course augmentation water agreement. Randolph/Harrison. Motion carried 7-0

**D. Consider amendment to the Intergovernmental Agreement with Teller County for Building Services. (A)**

Riley reviewed the staff report and the proposed agreement, noting six minor changes. She reported that the Teller County Commissioners approved this agreement on February 8, 2007. Randolph reviewed language in Section 9 and suggested strengthening it. There followed a discussion of the enforcement process currently in place. City Attorney Smith suggested that the language not be changed. Paul Clarkson, Teller County Building and Planning representative, noted the Commissioners would need to review any changes made and reconsider approval. Following discussion:

**MOTION:** To approve the revised IGA with Teller County for Building Services, as presented. Mella/Matthews. Motion carried 7-0.

**10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Costa Mitchakes, 245 Morning Star Court, thanked the City crews for their superb snow plowing efforts during the recent storms, and also thanked Fitzgerald for the excellent job he has done for Woodland Park.

**11. REPORTS:**

**A. Mayor's Report:** None.

**B. Council Reports:** Harrison invited all to attend the Chamber of Commerce Annual Dinner to be held on March 2, 2007. Parkhurst invited all to attend the Ute Pass Historical Society Annual Luncheon on February 25, 2007.

**C. City Attorney's Report:** None.

**D. City Manager's and Department Managers' Reports:** Fitzgerald noted that Phil Volpi, the City's prosecutor, will be leaving Smith's law firm and is interested in providing those services as an individual attorney. He reported that Smith's firm supports Volpi's request, and stated that unless Council had concerns, he would place this item on the next Council agenda for action. Mella inquired if the proposal would be revenue neutral. Fitzgerald noted it would be. There were no Council concerns.

**12. COMMENTS ON WRITTEN CORRESPONDENCE:** None.

**13. ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:20 P.M.

Recorded by:

---

Cindy Morse, MMC, City Clerk

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

---

Gary Crane, Mayor