

**WOODLAND PARK CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBERS, CITY HALL
AUGUST 16, 2007 – 7:00 P.M.**

1. CALL TO ORDER:

Crane called the meeting to order at 7:00 P.M.

2. ROLL CALL:

The following members of Council were present; Mayor Gary Crane, Jon DeVaux, Ken Matthews, George Parkhurst, and Steve Randolph.

The following Staff Members were also in attendance:

City Manager David Buttery	City Clerk Cindy Morse
City Attorney Erin Smith	Police Chief Bob Larson
Utilities Director Jim Schultz	Public Works Director Bill Alspach
City Planner Sally Riley	Deputy City Clerk Janell Sciacca

3. PLEDGE OF ALLEGIANCE:

Mayor Crane led the Pledge of Allegiance.

4. CEREMONIES, PRESENTATIONS & APPOINTMENTS:

A. Presentation of Keep Woodland Park Beautiful Business Award to Eagle's Nest: Crane presented this award to Lynn Colligan. Colligan thanked Council for this recognition and noted he looks forward to working with the DDA on the Woodland Station project.

5. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: Morse noted that the applicant for agenda item 8A has requested the item be withdrawn. She reported he would address Council when the item is called.

6. CONSENT CALENDAR:

- A.** Approve minutes of August 2, 2007 Regular Meeting. **(A)**
- B.** Approve July 2007 Statement of Expenditures and authorize Mayor to sign warrants in payment thereof. **(A)**
- C.** Approve application from Gina Sedano and Luis Martin for annual renewal of Hotel and Restaurant Liquor License for Carlos Miguel's located at 730 E. US Highway 24 to be effective October 8, 2007. **(QJ)**
- D.** Approve application from Dillon Companies, Inc. for annual renewal of 3.2% Beer Retail Off Premises License for City Market #31 located at 777 Gold Hill Place to be effective September 18, 2007. **(QJ)**

Crane read the Consent Calendar items into the record.

MOTION: To approve the Consent Calendar as presented. DeVaux/Matthews. Motion carried 5-0.

7. UNFINISHED BUSINESS: None.

8. ORDINANCES ON INITIAL POSTING:

A. Approve Ordinance 1084 changing the zoning from Suburban Residential (SR) to Multi-Family Suburban (MFS) to provide “cluster housing” in a village setting and not to exceed the total number of 190 units for Top of Paradise being Tract C with 14.76 acres of unplatted property generally located east of Majestic Parkway and Tract D with 15.11 acres of unplatted property generally located northeast of Thunder Ridge Drive all being part of the Master Plan for the Top of Paradise, as requested by owner William F. Brown, Jr. and Paradise Estates, Inc. on initial posting and set the public hearing for September 6, 2007. **(QJ)**

Riley introduced applicant Brown, who addressed Council regarding cluster homes. Brown reported that these types of homes are currently allowed conditionally in the Multi-Family Suburban zone, and he is pleased to let Council know that he will be working with the City staff to prepare amendments to the Code to permit these homes in the Suburban Residential and Urban Residential zones. He requested that Ordinance 1084 be withdrawn.

MOTION: To withdraw Ordinance 1084 as requested by the applicant this evening. Randolph/Parkhurst. Motion carried 5-0.

9. PUBLIC HEARINGS:

A. Consider application from Shining Mountain Enterprises, LLP for transfer of ownership of Hotel and Restaurant Liquor License with Optional Premises for Shining Mountain Golf Club located at 100 Shining Mountain Lane. **(QJ)**

Morse reviewed the Staff Report for Council and the viewing audience. She introduced Greg Brown, managing partner for Shining Mountain Enterprises, LLP and Rodney Saunders who will be one of two on-site managers for this facility. Morse noted that this process is required due to the change in corporate structure resulting from the departure of the Escalante group. She reviewed documents submitted and recommended approval of this request. Crane opened the public hearing. Greg Brown, 10265 Woodside Avenue, El Cajon, CA, addressed Council and noted that the Escalante group was terminated and he will serve as the managing partner for this new corporate structure. There being no further comment the public hearing was closed.

MOTION: To approve the application from Shining Mountain Enterprises, LLP for transfer of ownership of the Hotel and Restaurant Liquor License with Optional Premises for Shining Mountain Gold Club located at 100 Shining Mountain Lane. Parkhurst/DeVaux. Motion carried 5-0.

B. Consider application from Wal-Mart Stores, Inc. for a new 3.2% Beer Retail Off Premises License for Wal-Mart Supercenter #3805 located at 19600 E. US Highway 24. (QJ)

Morse reviewed the Staff Report for Council and the viewing audience. Crane reviewed the public hearing process for this request. Morse introduced Kevin Coates with the law firm of Dill and Dill, legal counsel representing Wal-Mart. Coates asked if anyone was present this evening to oppose this application. There was no response from the audience. Coates then introduced Max Scott, owner of Oedipus, Inc., a professional petitioning firm who conducted the petition process required for this application. Scott explained the process to obtain information concerning the needs and desires of the neighborhood, noting the survey was done on August 11 and 12, 2007. He reported that there were 694 total contacts made; 368 contacts were not home; 33 were not qualified to sign; 48 did not want to participate; leaving a total of 245 residents participating in the survey. He reported that 85% of those participating supported the license application and 13% did not. Scott noted his firm has conducted over 5,000 of these kinds of petition surveys for liquor licenses, and reported that this survey is consistent with others. Coates next called Adam Linder to speak. Linder, 627 Trail Crest Court, Colorado Springs, addressed Council, noting that he is the Manager for Wal-Mart Store #3805, and reported that over 200 employees will be trained concerning the sale of 3.2% beer. He described the training, and noted that trainings are held 2 to 3 times per week. Coates then presented a diagram of the premise for the record, and noted that no leased spaces are included in this application. No other input was received in favor of this application. No input was received in opposition to this license.

Coates provided a summation for Council, reviewing the testimony and noted that the needs and desires of the neighborhood have been met by petition and requested that the City Council vote to issue this license. There being no other comment, Crane closed the public hearing.

MOTION: To approve the application from Wal-Mart Stores, Inc. for a new 3.2% Beer Retail Off Premises License for Wal-Mart Supercenter #3805 located at 19600 E. US Highway 24. DeVaux/Randolph. Motion carried 5-0.

C. Consider Ordinance 1083 raising Water Usage Rates. (A)

Schultz reviewed the Staff Report and an analysis of system costs. He reported that 59% of the costs for debt service and system improvements are paid for by new development, with the remaining 41% of those costs paid for by existing customers. He reviewed water purchases over the years, and noted that in the Water Enterprise Fund, we save money through capital revenues collected to pay for system improvements as well. He reported that there is currently a \$251,000 deficit expected in the Water Enterprise Fund by the end of this year. He reviewed a PowerPoint presentation, noting water sales revenues and water tap revenues from 1990 through the present. He reported that there is good growth in water sales revenues, but noted a steep decline in tap sales. He next reviewed the Water Capital expenses and funding from 2002 to

2010 and reviewed the debt service and cash capital expenses. He noted that we receive money to pay for these capital expenses from the capital replacement fees paid by all users, as well as tap revenues and water development fees paid by new users and owners of new lots in our City on land annexed after February 17, 2001. He reported if more money is needed to pay expenses, operating revenue and fund balance are used. He reviewed the end-of-year fund balances for 2002 through 2010, noting that tap revenues are low for this year and likely for the future. He discussed the existing debt service for the Water Enterprise Fund, and the terms of a loan that require a three-month operating reserve be maintained. He reported that amount is approximately \$300,000. He noted that the projected year-end fund balance is \$483,000, and that if the current trends continue; that number will be \$360,000 is 2010.

He reviewed data regarding the proposed 15% increase in water rates and the data for each class of uses. He reported that the Utilities Advisory Committee reviewed this information and recommends a 15% increase in rates. Schultz reported that a 15% increase in rates would produce an additional \$55,000 in the remaining four months of 2007, and \$168,000 in 2008. He completed his presentation with a review of the year-end projected Water Enterprise fund balance through 2010, with the 15% rate increase implemented. He reported that this would allow room for recovery through the year 2010. Randolph and Parkhurst thanked Schultz for the comprehensive analysis and report. DeVaux asked if Schultz would consider lowering the rate if recovery is accomplished sooner. Schultz reported he would monitor this and examine the results annually, and report back to Council. Matthews noted he felt that this proposal is prudent and financially correct. Randolph asked Schultz if the golf course water usage would be impacted with the implementation of this increase. Schultz noted that the this increase doesn't impact the revenue negatively because the golf course takes water from Trout Creek and the City replaces 85.9% of the volume they take out of the creek via the discharge from the Wastewater Treatment Plant. He reported that the golf course pays us for that replacement water.

Victor LeBario, 2130 Valley View Drive, addressed Council noting that Schultz and the Utilities Advisory Committee have done significant due diligence regarding this recommendation and commended them. He stated he believes that while adding a few more dollars to each customer billing may not seem like a significant amount of money, if the current trends do not improve, it may amount of even more money later. He stated he feels these trends need to be considered when reviewing new projects, and encouraged Council to consider reducing the amount of debt.

There being no further comment, the public hearing was closed.

MOTION: To approve Ordinance 1083. Randolph/Parkhurst. Motion carried 5-0.

10. NEW BUSINESS: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: Costa Mitchakes, 245 Morning Star Court, addressed Council concerning the speed limit on Highway 24 near the intersection of Morning Sun and Highway 24. He stated that the 55 MPH speed limit is too high. He spoke to CDOT and was told that the speed limit would not be changed. He asked Council about CDOT's logic and asked them to contact CDOT to reduce the speed limit there, and also in the downtown. Crane reported that the City has been working with CDOT to reduce the speed limit in the downtown area to 25 MPH for the last couple of years. City Engineer Bill Alspach reported that the City has asked CDOT to conduct a speed study at the intersection near Wal-Mart, and reported that study will be done after Wal-Mart opens. He further noted that we have been proactively working with CDOT and monitoring activity at this intersection and throughout the downtown corridor, and noted we have requested a full study of the downtown corridor as well. Buttery reported that CDOT is governed by state law just like the City is, and noted that speed is one of those laws. He reported that he expects the speed study to begin sometime in mid-October.

10. REPORTS:

A. Mayor's Report: Crane reported that the Family Forum will be held on October 24th at 7PM, and encouraged residents to plan to attend.

B. Council Reports: None.

C. City Attorney's Report: None

D. City Manager's and Department Managers' Reports: City Engineer Alspach reported that tomorrow the advertisement for the Highway 67 project would be available, and reported that the project is about two weeks behind. He also reported that the Rampart Range Road sidewalk project would be underway soon.

11. COMMENTS ON WRITTEN CORRESPONDENCE: None.

12. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:17 P.M.

Recorded by:

Cindy Morse, MMC
City Clerk

APPROVED THIS _____ DAY OF _____, 2007.

Gary Crane
Mayor