

**WOODLAND PARK CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBERS, CITY HALL  
OCTOBER 18, 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, and George Parkhurst.

**2. PLEDGE OF ALLEGIANCE:** Crane led the audience in the Pledge of Allegiance.

The following Staff Members were also in attendance:

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

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

**A.** Presentation of Young Citizen of the Quarter Award to Matt Altop: Crane presented the award and a plaque to Altop and his family. Altop thanked his teacher, Nancy Ellis, and others who provide him support and encouragement.

**B.** Proclamation declaring October 19, 2007 Leonard Vahsholtz Day in Woodland Park: Crane read the Proclamation into the record and invited Vahsholtz to the podium. Vahsholtz presented Crane with a photograph taken from Pikes Peak that shows Woodland Park on race day. Vahsholtz thanked the City Council and the community for this recognition.

**4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:** Morse reported that the applicant for agenda item 9C is requesting that this item be tabled to November 1, 2007, and noted that action may be taken at the Public Hearing portion of the agenda.

**5. CONSENT CALENDAR:**

**A.** Approve minutes of October 4, 2007 Regular Meeting. **(A)**

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

Crane read the Consent Calendar items into the record.

**MOTION:** To approve the Consent Calendar. Mella/DeVaux. Motion carried 6-0.

**6. UNFINISHED BUSINESS:** None.

**7. ORDINANCES ON INITIAL POSTING:** None.

**8. PUBLIC HEARINGS:**

**A.** Consider application from Make Mo Money Enterprises, LLC to transfer ownership of Tavern Liquor License for The Historic Ute Inn located at 204 W. Midland Avenue. **(QJ)**

Morse introduced the applicant, Michael H. Mueller, and reviewed the staff report. She noted that fingerprint investigation reports have been requested with no negative findings expected. The public hearing was held without comment.

**MOTION:** To approve the application from Make Mo Money Enterprises, LLC to transfer ownership of the Tavern Liquor License for The Historic Ute Inn, subject to receipt of fingerprint investigation reports. Harrison/Matthews. Motion carried 6-0.

**B.** Consider Ordinance 1085 granting a Conditional Use Permit for a Home Day Care for a maximum of 8 children within the Urban Residential zone for property with a legal description of Lot 9, Block 4, Fullview Addition (more specifically 1005 N. Baldwin Street) as requested by applicant Jessica R. Peterson. **(QJ)**

Riley reviewed the staff report and a brief PowerPoint presentation. She reported that there are two standard conditions of approval contained in the Ordinance. She noted that the Planning Commission reviewed this request and recommended approval. The public hearing was held without comment.

**MOTION:** To approve Ordinance 1085, subject to the following conditions:

1. The applicant must receive approval and meet all requirements for a licensed "Family Child Care Home" from the Department of Human Services or appropriate agency prior to operating the home day care and continue to meet the State requirements throughout the operation of the business.
2. The applicant shall maintain a toy storage area on the backside of the home, which is screened from street view.

Mella/DeVaux. Motion carried 6-0.

**C. TABLED FROM OCTOBER 4, 2007:** Consider Preliminary and Final Plats for Tamarac Tech Park Filing #4 for the purpose of subdividing 25.59 acres into 8 lots on property being a replat of Lot 5, Tamarac Tech Park Filing #3 located in the W1/2 of the SW1/4 of Section 12, T12S, R69W of the 6<sup>th</sup> P.M. as requested by Robert P. Young, Sage Tamarac, Inc. **(QJ)**

Morse read a request from the Applicant to table this item to November 1, 2007.

**MOTION:** To table this request to November 1, 2007. Mella/Harrison. Motion carried 6-0.

**D.** Consider request for Minor Subdivision Plat for a tract of land located in the SW1/4 NE1/4 of Section 24, T12S, R69W of the 6<sup>th</sup> P.M. (more specifically 2.94 acres located at the SEC of US Highway 24 West Street) as requested by owner Vectra Bank. **(QJ)**

Schofield reviewed the staff report and a brief PowerPoint presentation and described the request to vacate and subdivide the site into two lots with Lot 1, where the bank is located sized at 2.49 acres and Lot 2 sized at .44 acres. Vectra plans to sell Lot 2 to the Downtown Development Association. She reported that the access easement for Lot 2 will be resized from 30 feet, as contained in the conditions of approval, to 24 feet. Parkhurst asked for clarification of the wording for the first bullet associated with condition 1 noting it was confusing. Riley noted that she and Schofield would provide clarified language. Schofield also noted that the Planning Commission reviewed this proposal and recommended approval. Riley reported that two motions are requested; one to approve a variance from the required street frontage size and another to approve the plat as presented. The public hearing was held. Dale Schnitker, 1361 Pinion Ridge Court representing Vectra Bank, reported that the lot line discrepancy referred to in the staff report is currently being worked on to achieve correction. There being no further public comment, Crane closed the public hearing.

**MOTION:** To approve the variance from the 40-foot street frontage requirement for Lot 2 as presented tonight. Harrison/Mella. Motion carried 6-0.

**MOTION:** To approve the Minor Subdivision plat as presented tonight, subject to the following two conditions:

1. Applicant shall provide a revised mylar for recording that contains the signature and seal of a registered land surveyor certifying the accuracy of the survey and the plat as drafted. The revisions to the mylar shall include:
  - Modify the label of the 30-foot drainage easement to add the word public so that the label reads “30-foot public drainage easement.”
  - Modify the 30-foot water and access easement to a 24-foot easement, which is labeled “24-foot public utilities easement” and “24-foot public access easement.”
  - Add a 10-foot public utility and drainage easement around the perimeter of this subdivision and a 5-foot public utility and drainage easement on each side of the common lot line in accordance with Section 17.40.170.
  - Under the “Know all men by these presents” section and the “In Witness Whereof” section, change Mountain National Bank to Vectra Bank.
  - Under the “City Council” certification block, change the language to read “This plat, and the dedication to the public of any public ways and public utility easements as shown hereon are hereby accepted and approved by the City Council of the City of Woodland Park, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2007.”

2. The final plat shall not be recorded until the discrepancy regarding the exact location of the common lot line between Vectra Bank's Lot 1 and the AmeriGas property has been resolved.

Harrison/Matthews. Motion carried 6-0.

**E.** Consider Ordinance 1086 pursuant to Section 7.7 of the City of Woodland Park Municipal Home Rule Charter adopting a competitive cable franchise application, review and evaluation process in connection with any franchise application submitted pursuant to Section 76.71 of Title 57 of the Code of Federal Regulations. **(L)**

Smith reviewed the proposed Ordinance for Council, noting that this ordinance replaces the Emergency Ordinance adopted earlier this year. She reported that this establishes a process to review and evaluate applications for franchises within the City limits. Crane opened the public hearing. Parkhurst expressed concern regarding the limited review criteria, and asked Smith if she was comfortable with the language contained in Section 3.25.110. Smith noted that the language states that applicants must report violations, and reported that if Council desires, a history of customer complaints received could be required. Following a brief review, Smith suggested adding a new sub-section E to Section 3.25.020 that states "Customer Complaints 1. The Applicant shall provide a description of customer complaints received under its other existing franchise agreements." Council concurred with Smith's amendment. There being no further comment, the public hearing was closed.

**MOTION:** To approve Ordinance 1086, as amended with new language at Section 3.25.020 E concerning Customer Complaints. Crane/Matthews. Motion carried 6-0.

**9. NEW BUSINESS:** None.

**10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** None.

**11. REPORTS:**

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

**B.** Council Reports: None.

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

**D.** City Manager's and Department Managers' Reports:

1. Report on local Liquor License suspensions by the Colorado Department of Revenue: Chief Larson reviewed the staff report for Council, noting that the State contacted 8 licensees within the City limits and cited 4 for serving an underage individual. Mella suggested that perhaps the City should be more proactive locally. Larson reported that the Police Department conducts four audits each year, and has been doing so for a number of years. He explained the audit process, noting that letters are sent to all licensees in advance of the audit. There followed a discussion

concerning the process. Council took this information under advisement and asked Staff to work with the City Attorney and place this item on a future Council agenda for further discussion.

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

At this time, Council took a ten-minute break.

Crane reconvened the meeting at 8:20PM.

**13. PRESENTATION AND WORKSHOP ON DRAFT 2008 FISCAL YEAR BUDGET – GENERAL FUND 100, GRANT FUND 210, AND DOWNTOWN DEVELOPMENT AUTHORITY FUNDS 215 AND 205.**

Buttery reviewed the Budget Message, and noted that this draft document is on the City's website for citizens to review, and reported that copies are available at City Hall for review. He reported that this draft document provides for enhanced service delivery; one new Public Works Maintenance Worker 1 position in the Parks, Buildings and Grounds department; one new Police Officer 1; a 5% salary increase for all employees; and some capital equipment purchases through the Revolving Loan Fund. He detailed General Fund revenues noting that revenues from Wal-Mart are included based on the Crowley study; reporting that property tax revenues are anticipated to increase 16% based on a reassessment; reported that grant revenues for capital projects are anticipated to be \$2.23 million dollars; and reported that gaming revenues are expected to be \$83,163 in support of the Police Department and the Teen Center.

He discussed expenditures, noting that no appropriation is included for Community Investment funding, at Council's direction; reporting that fuel utility costs are stable; and an 8.8% increase in health care premium costs and a 3% increase in dental care premium costs are included. He noted that the actual health care premium cost was higher, but by increasing the co-pay from \$15 to \$20 per visit that number decreased to 8.8%. He reported that the City's premiums for property/casualty and worker's compensation insurance coverage increased 4.3%. He noted that funding for the Chamber of Commerce is included in the General Fund and the DDA Fund for a total of \$35,000.

He reviewed the major work initiatives for 2008 to include implementation of a pay-for-performance merit based pay system; continuing to research local water rights acquisition opportunities; construction of an addition to the wastewater treatment plant; improvements to the streets; and a revision of the Engineering Specifications.

He highlighted capital improvements for 2008 to include beginning construction on the YMCA facility; construction of sidewalks along Rampart Range Road, Midland Avenue and Lake Avenue; construction of four lanes along a portion of Highway 67; construction of improvements to Crestwood Park; and construction of improvements along a portion of Highway 24 at Glen Dale Drive.

He next reviewed the Downtown Development Authority funds, noting that revenues are budgeted to be \$198,327 and expenditures are anticipated to be \$684,961.

**14. ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:40 P.M.

Recorded by:

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Cindy Morse, MMC, City Clerk

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

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Gary Crane, Mayor