WOODLAND PARK CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
MEETING MINUTES
August 3, 2017 – 7:00 P.M.

1. CALL TO ORDER AND ROLL CALL: Mayor Levy called the meeting to order at 7:00 P.M. with the following members of Council present: Mayor Pro-tem Harvey, Val Carr, Ken Matthews, Noel Sawyer and John Schafer. Councilmember Saunier was absent.

2. PLEDGE OF ALLEGIANCE: Mayor Levy led the audience in the Pledge of Allegiance. The following Staff Members were also in attendance for this meeting:

City Manager David Buttery
Public Works Director Ben Sheets

Planning Director Sally Riley
Finance Director Mike Farina
Utilities Director Kip Wiley
Deputy City Clerk Chrissy Stapleford
Police Chief Miles DeYoung
Special Projects Jane Mannon

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Introduction of new Public Works director/City Engineer Ben Sheets.

City Manager Buttery introduced Ben Sheets, the new Public Works Director/City Engineer. Sheets expressed that he was glad to be here at the City and looked forward to working with everyone.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR

A. Approve minutes of July 20, 2017 Regular Meeting. ***(A)***

MOTION: To approve Consent Calendar as presented. Schafer/Sawyer. 6-0.Motion carried.

6. UNFINISHED BUSINESS

A. None

7. ORDINANCES ON INITIAL POSTING:

A. Consider Ordinance No. 1311 adjusting expenditure appropriations for the General fund of the City of Woodland Park, Colorado, for the 2017 Budget Year, Amending Ordinance No. 1291 on initial posting and set the Public Hearing for September 7, 2017. ***(A)***

Finance Director Mike Farina gave a brief overview of the adjusting expenditure appropriations for the general fund on initial posting.

Farina noted that the purpose of this supplemental appropriation is to carryover the unexpended 2016 appropriation of $171,900 and to add an additional $194,000 for a total of $366,800 to the General Fund budget.

Farina noted that the 2016 and 2017 budgets appropriated a total of $12,798,425 for the Aquatic Center construction project. The actual expenditure amount in 2016 was $4,237,368 leaving $74,657 from 2016 unexpended. An additional $169,000 is needed to fund the entire construction contract to include the slide component. A total of $244,600 is requested with this budget amendment.

Farina noted that the 2016 annual budget appropriated $1,829,300 for improvements at Memorial Park. The actual expenditure amount in 2016 was $1,732,099 leaving $97,201 unexpended which is requested with this budget amendment.

Farina also noted that the Council approved filling one of the "frozen" police officer positions at the July 20th Council Meeting. Farina estimated that $25,000 would be needed for the rest of the year for salary and benefits.

After brief Council discussion a motion was made.

MOTION: Consider Ordinance No.1311 adjusting expenditure appropriations for the General Fund of the City of Woodland Park, Colorado, for the 2017 Budget Year, Amending Ordinance No. 1291 on initial posting and set the Public Hearing for September 7, 2017. Sawyer/Carr. Motion carried 6-0.

8. PUBLIC HEARINGS:

A. Approve Ordinance No. 1310 granting a franchise to TDS Broadband Service LLC, A Delaware Limited Liability Company to construct, operate, and maintain a cable television system in the City of Woodland Park, Colorado setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system; and prescribing penalties for the violation of its provision. ***(A)***

City Attorney Smith reviewed the Staff Report with Council regarding Ordinance No. 1310. Smith noted that the City's current cable franchise agreement with TDS Broadband Service, LLC was drafted and approved in 2000 and it is set to expire September 7 of this year. Smith reviewed with the Council that municipalities in Colorado regulate cable television service pursuant to federal law, home rule charters and local franchise agreements. Smith noted that the City's Charter requires a cable franchise agreement to be granted and approved by ordinance.

Smith noted that an overview of the proposed franchise provisions that differ from the current franchise agreement are contained in her attachment to the staff report. Smith highlighted the following:

- Section 7(1)(a) (Franchise Fee): Under the proposed franchise the franchise fee does not change and remains set at 3% .
- Section 2(4) (Franchise Term): The proposed franchise provides for a 10 year term. The current franchise agreement provided for a 10 year term plus the right to earn an additional 5 years. Smith noted that the Cable Company had earned the additional 5 years by providing the digital and data technology within the schedule specified.
- Section 15. Exhibit A, Customer Service Standards:
  - **a**. Modified slightly to confirm that technical equipment and support will remain available to serve Woodland Park if the exact location of the facility should change.
  - **b.** Section E subsection 3: Changed to reflect changes in the level of customer information accessible to employees and technicians, who do not have access to particular customer information.

- Section 16: The Cable Company completed the upgrades per the schedule in the current franchise agreement so this section no longer is relevant.

Smith noted that the Cable Company currently has about 620 subscribers. The City receives an average of $10,000 a year in fees and that within the last 5 years there have been no complaints.

After brief Council discussion Mayor Levy opened up the Public Comment portion of the Public Hearing. There being no Public Comment Mayor Levy closed the Public Hearing and the following motion was made:

MOTION: Approve Ordinance No. 1310 granting a franchise to TDS Broadband Service LLC, A Delaware Limited Liability Company to construct, operate, and maintain a cable television system in the City of Woodland Park, Colorado setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system; and prescribing penalties for the violation of its provision. Sawyer/Schafer. Motion carried. 6-0.

B. Consider a Special event Temporary Use Permit for extended hours for "Bike the Night" from 9:00 pm – 11:00 pm on August 26, 2017.

Planning Director Riley reviewed her Staff Report with the Council noting that this will be the fourth year this event is being held. Riley noted that this is a family event and they are expecting 50 participants with 10 volunteers.

Riley introduced Deborah Maresca from mountain Top Cycling Club and she shared the event information with the Council.

After brief Council discussion and no Public Comment the following motion was made:

MOTION: Consider a Special Event Temporary Use Permit for extended hours for "Bike the Night" from 9:00 pm – 11:00 pm on August 26, 2017. Sawyer/Matthews. Motion carried.6-0.

9. NEW BUSINESS:

A. None

10. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

A. Debbie Miller, President of the Chamber expressed that this was going to be a very busy weekend with events for the City. Miller also noted that the Chamber has been promoting the City of Woodland Park and that there is a new commercial being aired on television.

11. REPORTS:

A. Mayor's Report:

Mayor Levy in honor of the upcoming CML Cities and Towns week thanked the behind the scenes City Workers that helped to make the 4th of July Event this year a success. Mayor Levy gave thanks to Karen Casey for leading the effort and thanked City Workers' Bruce Vanderpool, Chris Lane, Josh Cones, Tyson Anderson, Joe Schmitz and Dave Sauer. Mayor Levy also thanked Main Street for all of their promotional efforts.

Mayor Levy thanked Mayor Pro-tem Harvey for stepping in for him at National Night Out. Chief DeYoung shared that it was a successful event and thanked everybody for their help.

Mayor Levy reviewed the upcoming events for the next two weeks.

B. Council Reports:

Councilmember Carr discussed the upcoming quilt show and Mountain Arts Festival this weekend. He reported that Main Street has voted to dedicate $5,000 to a Walk & Parking Audit.

Councilmember Matthews commented on the plaques in Antler Ally and what a great collaboration that was between groups.

Councilmember Sawyer reported that the DDA is working with Natural Grocers but they are still in discussion on a TIF agreement, there will be an executive session on August 8. Sawyer reminded everyone that school starts on August 22.

C. City Attorney's Report:

D. City Manager's and Department Manager's Report:

City Manager Buttery shared that grand opening dates for the Aquatic Center will be announced next week. He also stated that Finance Director Farina has created a new budget calendar this year. A different approach is being taken to the calendar and this should be refreshing and helpful.

Utilities Director Kip Wiley shared photos of the progress of the Waste Water Treatment Plant. Mayor Levy asked when the completion of the plant is and if it is on budget. Wiley stated that the project is on budget and final completion is set for June of 2018 with substantial completion being March of 2018. Substantial completion means that the plant is functioning as designed. Final completion is when the general contractor hands over all the manuals.

12. WRITTEN CORRESPONDENCE: None

13. ADJOURNMENT: The meeting adjourned at 7:57 PM.

Recorded by:

Suzanne Leclercq

Suzanne Leclercq, City Clerk

APPROVED THIS 7th DAY OF September, 2017

Neil Levy, Mayor