

February 18, 2009

5:30 PM

Mayor Baader called the regular meeting of the City Council to order. Present were Council Brown, DiCamillo, Ledford, Woods, Clerk Blevins, Administrator McPherson, and Attorney Phillips.

Minutes of the February 4, 2009 meeting were approved as written. With Ledford abstaining.

CITY ADMINISTRATOR REPORT:

Administrator McPherson thanked Clerk Blevins for her service to the City and to himself. McPherson reminded all of fire safety, 16 homes and apartments in Colorado Springs have had fires in the last few months. There has been 1 chimney fire in Cripple Creek with 2 chimney fires and one residential in Victor. Please check the batteries in your smoke alarms. If you would like the Fire Department will come to your home to do an inspection all you need to do is call the department to set up an appointment. McPherson asked Council to consider approval to hire one person for Public Works Department. We lost our meter installer and will need to replace him in order to complete the meter project. McPherson stated Captain John Rheinbolt has been promoted to Battalion Captain; this will not involve any increase in pay.

FINANCE DIRECTOR REPORT:

Finance Director Harris stated there are no expenditure or budget transfer requests at this time.

PLANNING & HISTORIC PRESERVATION DIRECTOR REPORT:

Development Director Manning stated he and Kathy Stockton had attended the CPI conference in Denver. There are some casinos in the City that will be looking to do changes to their buildings. The gift shop at the Heritage Center has been completed. The mezzanine at the storage building is also complete. The buyer for the furniture at the Home Stead house has decided not to purchase the furniture. Residential grants will be available March 25 and will bring to Council for approval on April 15.

PLANNING COMMISSION BUSINESS REQUEST FOR APPROVAL OF A PRELIMINARY PLAT FOR A SUBDIVISION IN THE C-2 ZONE WEST OF HIGHWAY 67 AT SHELF ROAD, MAR HOLDINGS, APPLICANT:

Development Director Manning stated applicant request approval of a Preliminary Plat for a site of about 15 acres. The area is bordered by South Second Street on the west, the City Limits on the south, Highway 67 on the east, and the County Maintenance facility and a RV park on the north. The existing platted configuration is a variety of lots including some original lots and some replated lots. Several undeveloped right-of-ways and the existing Shelf Road are included. The plat creates 5 new lots bordering a realigned Shelf Road. The road is realigned to provide a better intersection with the highway and to maximize the buildable area in each lot considering the physical constraints of the property. The drainage over the site is proposed to be channelized to provide more buildable area as well. CDOT will provide oversight of improvements related to the highway such as drainage, grading, and realignment of the intersection, as well as any other highway improvements. The standard of the balance of the infrastructure improvements, both internal to the site and any required extensions off site will be regulated by the City, primarily the Public Works Department. At the final plat review these improvements will be detailed in design and cost. They will then be included in a Subdivision Improvements Agreement accompanying the final plat. There was no public comment. Motion by Ledford to approve Preliminary Plat for Subdivision in the C-2 Zone of Highway 67 at Shelf Road Second by Brown and motion carried.

2ND READING OF ORDINANCE #2009-01 AMENDING SECTION 16-2-60 (d) OF THE CRIPPLE CREEK MUNICIPAL CODE, CONDITIONAL USES IN THE B ZONE, TO ADD ANIMAL STABLES AND USE THEREOF FOR PRIVATE INDIVIDUALS, ORGANIZATIONS, OR BUSINESSES UNDER CERTAIN CONDITIONS, Larry Manning:

Mayor Baader read title only of Ordinance #2009-01. Manning stated he had received one letter of opposition. There was no public comment. Motion by Woods to approve 2nd reading of Ordinance #2009-01 Second by DiCamillo and motion carried.

2ND READING OF ORDINANCE #2009-02 AMENDING CHAPTER 18, ARTICLE 9 OF THE CRIPPLE CREEK MUNICIPAL CODE RELATING TO THE ADOPTION OF THE INTERNATIONAL FIRE CODE, Randy Baldwin, Fire Chief:

Mayor Baader read title only of Ordinance #2009-02. There was no public comment. Motion by Ledford to approve 2nd reading of Ordinance #2009-02 Second by Woods and motion carried.

REQUEST FOR APPROVAL OF OFFSITE PARKING AND SHUTTLE, COLORADO GRANDE, APPLICANT:

Eric Rose, General Manager of the Colorado Grande, stated with the addition to their building the current on-site parking will be decreased by 4 parking spaces and create a requirement for an additional 7 spaces for a total of 11 new parking spaces. In order to meet this requirement the Colorado Grande Casino is proposing that the lot located at the corner of 1st Street and Masonic Avenue be used for off-site parking with the City shuttle as the "approved shuttle service." There was no public comment. Motion by Ledford to approve the request for offsite parking subject to compliance per the Municipal Code Second by Brown and motion carried.

PLANNING COMMISSION BUSINESS OF A CONDITIONAL USE TO ALLOW ANIMAL STABLES AT 134 W BENNETT AVENUE, CITY OF CRIPPLE CREEK APPLICANT, Larry Manning:

After much discussion this item was withdrawn per the applicant.

PLANNING COMMISSION BUSINESS REQUEST FOR A CONDITIONAL USE PERMIT IN THE BB&H ZONE TO ALLOW AN APARTMENT UPSTAIRS AT 207 E CARR AVENUE, MONA HUFFMAN APPLICANT, Larry Manning:

Development Director Manning stated the applicant request approval of a Conditional Use to allow an apartment in the upper level of the existing business, a liquor store. The area appears to have been used as and is configured to utilize as an apartment at this time. The structure and site conditions will remain as existing. The approval will legitimize future use as a residential unit. Staff recommends approval of the request with the condition that the unit be inspected by the Fire and Building Departments prior to occupancy. There was no public comment. Motion by Ledford to approve the Conditional Use Permit in the BB&H Zone Second by Woods and motion carried

APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION, Larry Manning:

Development Director Manning stated as of March 1, 2009 the following terms will expire on the Historic Preservation Commission: 1) 2 year term due to resignation of Victor Lewis 2) Deb Petty, Vice Chairperson, 1 year term 3) Pete Little, 1 year term 4) Nancy McDonald, 1 year term 5) Jack Maberry, 3 year term. All of the current members as listed above have indicated that they are willing to serve another term. Alternate Robert Goll wishes to be appointed to replace Victor Lewis as a regular member. There was no public comment. Motion by DiCamillo to approve recommended appointments to the Historic Preservation Commission Second by Woods and motion carried.

RECOMMENDATION FROM THE MT PISGAH CEMETERY BOARD FOR CHANGES TO THE CEMETERY RULES AND REGULATIONS, Larry Manning:

Development Director Manning stated the Mt. Pisgah Cemetery Board would like to make the following changes to the Rules and Regulations: 1) to clarify the definition of a "Resident", change Section 1, 10.b to read: "b. A member of the immediate family of an individual buried at Mt. Pisgah Cemetery **prior to 2005**; or" 2) change the number of cremations allowed in one plot from four (4) to two (2) as stated in Section 9, A. as follows: "A. There shall be the allowance of multiple burials for cremations in one plot. These burials shall not be "double burials" and shall be **limited to two (2) per plot**. 3) To accommodate an increase in requests for burial of cremations at the foot of an existing grave, an addition to Section 9 of Rules and Regulations should read: "**E. There shall be the allowance of the burial of one full burial and one cremation in one plot.**" There was no public comment. Motion by Ledford to approve recommendations from the Mt. Pisgah Cemetery Board for changes to the Cemetery Rules and Regulations Second by Woods and motion carried.

ADOPTION OF A RESOLUTION OF TELLER COUNTY HAZARD MITIGATION PLAN, Chip Huffman:

Public Works Director Huffman stated several weeks ago council was provided with a copy of the Teller County Multi-Hazard Mitigation Plan relating to Natural Disaster. The goals were defined for the purpose of this mitigation plan as board – based public policy. Goal 1) reduce the loss of life and personal injuries from hazardous events; 2) reduce hazard impacts to private and public property, and the local economy; 3) reduce hazard impacts to critical facilities, infrastructure, and other community assets, including natural and historic resources. There was no public comment. Attorney Phillips stated to the Council for the record there is no Resolution in the packet to be adopted. Motion by Ledford to approve adoption of the Teller County Hazard Mitigation Plan Second by Woods and motion carried.

REQUEST FOR WAIVER OF SEWER TAP AT 416 SOUTH 1ST STREET, BONNIE BURKE APPLICANT, Chip Huffman:

Public Works Director Huffman stated there are no sewer lines in place now and the applicant is now on a septic tank. Applicant would like to go down the hill to 2nd Street but will need to obtain a legal easement to cross private property. There was no public comment. Motion by Woods to approve the sewer tap waiver at 416 South 1st Street with the condition she obtain a legal easement Second by Brown and motion carried.

1ST READING OF ORDINANCE #2009-03 PLACING A MORATORIUM ON THE ENFORCEMENT OF THE CITY'S BANNER REGULATIONS FOUND AT CHAPTER 16, ARTICLE 6 OF THE CRIPPLE CREEK MUNICIPAL CODE, Lee Phillips:

Mayor Baader read title only of Ordinance #2009-03. There was no public comment. Motion by Ledford to approve 1st reading of Ordinance #2009-03 as amended by Council Second by Woods and motion carried.

RESOLUTION #2009-04 SUPPORTING A GOCO GRANT, Connie Dodrill:

Mayor Baader read title only of Resolution #2009-04. There was no public comment. Motion by Ledford to approve Resolution #2009-04 Second by DiCamillo and motion carried.

PUBLIC COMMENT:

Sandra DiCamillo stated that Jordan Miranda, Ryan Bowman and Tanner Brown will be in the wrestling finals at the Pepsi Center at 3:00 PM on Thursday. Cripple Creek will be hosting a basketball tournament on Tuesday at 4:00 PM. **Mayor Baader** stated the Ice Fest this past weekend was great. There were lots of people in town and they were playing in the casinos. **Lois Woods** thanked the casinos that hosted the Ice Fest.

Meeting adjourned at 6:45 PM

APPROVED:

Dan Baader, Mayor

ATTESTED:

Debra Blevins, City Clerk