

April 7, 2010

5:30 PM

Mayor Baader called the regular meeting of the City Council to order. Present were Council Brown, Ledford, Zoellner, Deputy Clerk Siewert, Interim Administrator White and Attorney Phillips.

Minutes of the March 17, 2010 meeting were approved as written.

CITY ADMINISTRATOR REPORT:

Mayor Baader presented an award to Jesse Avery for National Dispatcher of the year from the City and declared April 11-17th 2010 as National Telecommunicators' Week. The Mayor also swore in Eddie Dimarco as firefighter. Interim Administrator White stated that telephones are back up and working; they were down due to a cable cut by Green Mountain Falls. He also stated that the 911 team did a good job during the telephone down time. One issue the City is working on is the floodplain maps and the City is trying to work with FEMA on helping with costs, he will keep the City updated. There will be an Executive Session following the meeting regarding water negotiations with the Cripple Creek & Victor Mine.

FINANCE DIRECTOR REPORT:

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

PLANNING & HISTORIC PRESERVATION DIRECTOR REPORT:

Development Director Manning stated that there have been 5 responses to the RFP for form based codes. He and council will try to reach a conclusion by the April 21st council meeting. He recommends Likkel Construction for the Heritage Center addition since they were the low bidder. He has sent a letter to the State and hopes to get that back in order to start negotiations and get a contract signed within 30 days. He also stated that the City has been offered a property in the Whiting area of town, basically at no charge, and would like direction on how to proceed. He has discussed this with Public Works and they cannot see any disadvantages to accepting the property. The Mayor and council stated they should proceed with it. Manning also stated that he has been working with the assessor and BLM about land issues regarding the heli-pad site. He will be giving the Mayor and council a plan of the heli-pad construction site.

2ND READING OF ORDINANCE 2010-03 – AN ORDINANCE RELATING TO THE SALE OF CITY-OWNED PROPERTY, Lee Phillips

Mayor Baader read title only of Ordinance #2010-03. Attorney Phillips stated that the purchase price is \$3.25 million less rents paid by Womack's in the past ten years. There was no public comment. Motion by Ledford to approve 2nd reading of Ordinance #2010-03, Second by Brown and motion carried. Attorney Phillips stated that in anticipation of the approval, the closing for this property is scheduled for the week after next.

2ND READING OF ORDINANCE 2010-04 – A BILL FOR AN ORDINANCE REPEALING SECTION 13-4-80 OF THE CRIPPLE CREEK MUNICIPAL CODE RELATING TO WAIVERS OF WATER AND SEWER TAP FEES, Lee Phillips

Mayor Baader read title only of Ordinance #2010-04. There was no public comment. Motion by Ledford to approve 2nd reading of Ordinance #2010-04, Second by Brown and motion carried.

2ND READING OF ORDINANCE 2010-05 – AN ORDINANCE AMENDING CHAPTER 18, ARTICLE 3 OF THE CRIPPLE CREEK MUNICIPAL CODE RELATING TO LICENSING AND REGULATION AND AMENDING CHAPTER 18, ARTICLE 5 OF THE CRIPPLE CREEK MUNICIPAL CODE RELATING TO INTERNATIONAL PLUMBING CODE, Larry Manning

Mayor Baader read title only of Ordinance #2010-05. Manning explained that amending Chapter 18, Article 3 discusses a couple of contractors being added and requires sets of plans to include fire suppression, and amending Chapter 18, Article 5 discusses sanitary facilities at construction sites. There was no public comment. Motion by Ledford to approve 2nd reading of Ordinance #2010-05, Second by Brown and motion carried.

AWARD CONTRACT – FOR HWY 67 STREETSCAPE, Chip Huffman

Public Works Director Huffman stated that the bid opened this afternoon and there were 5 bids. The low bidder was Blue Ridge Construction. Huffman stated that he understands that Attorney Phillips needs to review the bid, but that he needs council approval for the project. This project is in the budget and it includes sidewalks, gutters, new lighting, etc. There was no public comment. Motion by Ledford to approve award of Hwy 67 contract to Blue Ridge Construction pending Attorney Phillips' review of final documents, Second by Brown and motion carried.

PLANNING COMMISSION BUSINESS – REQUEST FOR A VARIANCE IN THE B-H ZONE AT 300-308 E BENNETT AVENUE (L 16R, B22, CR CK FREMONT ADDITION) TO ALLOW (3) SIGNS, NEVADA GOLD AND CASINOS INC. REPRESENTING HARTZ PROPERTIES, LLC, APPLICANTS, Larry Manning

Development Director Manning requests that this item be tabled until the April 21, 2010 council meeting.

REQUEST – CITY REPRESENTATION AT THE KEY STAKEHOLDERS TABLE PROJECT – PLANNING FOR SOUTHERN TELLER COUNTY TRANSPORTATION OPERATIONS, Valdean Petri

Mary Bielz and Valdean Petri stated that last year CDOT awarded the Aspen Mine Senior Center with \$80,000 in grant money over two years to put together a transportation plan for Southern Teller County. Bielz stated

that there are 17 transportation agencies in Southern Teller County and the Aspen Mine Senior Center would like for the city to appoint someone to represent them when talking with these agencies. Bielz also stated that there is a need for more transportation to remote areas of the county especially for elderly, low-income, & disadvantaged youth. Mayor Baader asked Interim Administrator White if we can get Transportation Director Pemberton appointed to represent the Senior Center and White stated that he would take care of it. There was no public comment.

RECOMMENDATION – TO EXTEND ORDINANCE 2009-12– A BILL FOR AN EMERGENCY ORDINANCE 2010-07 IMPOSING A TEMPORARY MORATORIUM ON THE PROCESSING AND APPROVAL OF ANY APPLICATION FOR A CITY OF CRIPPLE CREEK PERMIT OR LICENSE RELATED TO THE OPERATION OF A BUSINESS THAT SELLS MEDICAL MARIJUANA; DIRECTING THE PROMPT INVESTIGATION OF THE CITY’S REGULATORY AUTHORITY OVER SUCH BUSINESSES; DECLARING THE INTENTION OF THE CITY COUNCIL TO CONSIDER THE ADOPTION OF APPROPRIATE CITY REGULATIONS WITH RESPECT TO SUCH BUSINESSES IF PERMITTED BY LAW

Attorney Phillips explained that this Ordinance would give the City a chance to see what happens at the State level regarding medical marijuana. This will extend the moratorium for another 90 days from April 7, 2010. The Mayor stated that he and City Council do not want medical marijuana dispensaries in Cripple Creek. There was no public comment. Motion by Ledford to approve Ordinance #2010-07, Second by Brown and motion carried.

RECOMMENDATIONS FOR THE COMMUNITY ALLOCATION GRANTS, EPYCS

Joan Rook and Mary Bielz explained to council the breakdown of the money that the Cripple Creek and Victor School is requesting from the City. The total funding they are requesting at this time for the spring 2010 is \$15,476. Finance Director Harris stated that this is in the budget but that it will make fall 2010 a little bit short since the entire amount budgeted for the year is \$30,000. There was no public comment. Motion by Ledford to approve \$15,476 in funding to the Cripple Creek and Victor High School, Second by Brown and motion carried.

RECOMMENDATION – FROM THE HISTORIC PRESERVATION COMMISSION FOR FUNDING FROM THE 2010 RESIDENTIAL GRANT PROGRAM, Larry Manning

Development Director Manning stated that there is \$50,000 available for these four grants. For 313 E Golden Ave., Moore, the Historic Preservation Commission recommends up to \$12,176 with 50% owner match. For 347 W Eaton Ave., Ginsberg, the Commission recommends up to \$6,670 with 40% owner match. For 409 S First St., Tulley, the Commission recommends \$7,275 with 25% owner match. For 315 E Eaton Ave., Williams, the Commission recommends \$9,523 with 25% owner match. There was no public comment. Motion by Zoellner to approve these recommendations, Second by Ledford and motion carried.

PUBLIC COMMENT:

Jane Mannon of the Cripple Creek & Victor Gold Mining Company gave City Council an update on the work going on at the mine. She also mentioned that the mine is working on developing a shooting range in the Wilson Lakes area. She stated that it would be a private club and she will send the Mayor more information.

Meeting adjourned at 6:35 PM

APPROVED:

ATTESTED:

Dan Baader, Mayor

Jessica Siewert, Deputy Clerk