

July 1, 2009

5:30 PM

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

Minutes of the June 3, 2009 meeting were approved as written.

CITY ADMINISTRATOR REPORT:

Administrator McPherson gave council an update concerning the property located in Cripple Creek Mountain Estates. Security Title Company is in the process of doing a title search. Once this has been achieved council will be informed. McPherson stated he had received a letter from Mr. David Tilney from Vanderbilt Beach, FL who is interested in donating 49 lots he purchased at a tax sale 20 years ago, to the City of Cripple Creek. Property is as follows: L4-40 B30 CR CK FRE PL ADD (VAC), L1-13 B35 FREEMAN PL ADD, and L1-12 B24 FREEMAN PL ADD. McPherson has talked with Public Works Director, Huffman, who confirmed that a water tank could be utilized of putting water in the area for later use. Council asked Attorney Phillips if this can be voted on at this time and was told yes. Council instructed Administrator McPherson to proceed with obtaining the lots. Monday, July 6th prep work will begin for the paving of Teller County Road #1 from the Medical Plaza to the Post Office, actual paving will start on July 7th. McPherson stated he has met with Public Works, Wildwood Casino and Rocky Mountain Paving concerning paving of Golden Avenue, Prospect Street, Pikes Peak Avenue and Galena Avenue. Prep work for that project will begin Tuesday, July 7th. Mayor Baader estimates the project to be completed within 10 days, weather pending. The City was not awarded the grant to complete preparation at the Medical Plaza for the Eye Clinic. Finance Director, Harris has stated there are Economic Development funds available to complete the \$33,000 project. \$3,000 of that we can absorb in our own labor. The eye clinic has also expressed interest in assisting with this cost. These funds are non budgeted funds but can be part of the fall budget. The Phil Long Ford Expo Center is having an event, The American Soldier, and has requested the City of Cripple Creek to display the Huey Helicopter at the event July 24th thru 26th. In return the City will be permitted to advertise at no cost to us. Council agreed to the request. Mayor Baader asked what was being done about the cows. Councilman Brown stated that Kevin Larsen has offered to give the City a proposal for repairing the fences. McPherson stated he would contact Mr. Larsen after the cattle guard has been reinstalled, McPherson announced items number 3 & 4 have been tabled.

FINANCE DIRECTOR REPORT:

Public Works has requested \$120,000 be transferred from the Hwy 67 project to the Street paving on Teller County Road #1. Motion by Ledford to approve the transfer request Second by Woods motion carried with DiCamillo voting no.

PLANNING & HISTORIC PRESERVATION DIRECTOR REPORT:

Development Director Manning stated cemetery excavation will be cleaned up after the automatic gate is installed next week. Next week a seasonal worker for the cemetery will be starting. The Victorian Lady is being painted and exterior restoration by the same contractor who is doing repairs.

REQUEST – CONDITIONAL USE PERMIT AND VARIANCE REQUEST AT 206 MAIN STREET (L 8&9, B50, HAYDEN PLACER ADD), KERRI EIVINS

Planning Director Manning stated the applicant requests approval of a Conditional Use to allow a 1 unit Bed and Breakfast in a single-family house. No off street parking is required and minimal changes to the structure are planned. The Planning Commission recommends approval of the request with the following conditions: 1) The structure be inspected by the Building Department to insure it is compliant with the needs for the new occupancy. 2) No guest parking shall occur in the rear off of the alley. Motion by Ledford to grant Conditional Use Permit and Variance request with the aforementioned conditions Second by Woods and motion carried.

PLANNING COMMISSION BUSINESS – CONDITIONAL USE PERMIT AND VARIANCE REQUEST AT 206 MAIN STREET (L 8&9, B 50, HAYDEN PLACER ADD), Kerri Eivins:

Development Director Manning stated the applicant request approval of a Conditional Use to allow a 1 unit Bed & Breakfast in a single-family house. No off street parking is required and minimal changes to the structure are planned. Staff recommends approval of the request with the following conditions: 1) The structure be inspected by the Building Department to insure it is in compliance with the needs for the new occupancy. 2) No guest parking shall occur in the rear off of the alley. There was no public comment. Motion by Woods to approve the Conditional Use Permit Second by Ledford and motion carried. Manning stated applicant request approval to allow a 6 feet front yard setback where a 25 feet setback is required. The variance will allow a small entryway to be constructed on the side of the structure. Staff recommends approval of the request. There was no public comment. Motion by Ledford to approve the Variance Second by Brown and motion carried.

REQUEST – FOR WAIVER OF WATER AND SEWER TAP FEES, ALFREDO LOPEZ, APPLICANT

Mr. Lopez was not present. Planning Director Manning stated the site was re-platted causing the lots to run east to west and not the typical north to south but remains adequate to build upon. Ledford asked if the applicant will occupy this residence and was told yes. Ledford asked City Attorney Phillips if there was an ordinance concerning these waivers. Attorney Phillips responded with a yes but informed council this ordinance has since expired as of 2006. Attorney was instructed to look into this matter. Motion by Ledford to approve the request for waiver Second by Woods and motion carried.

ORDER TO SHOW CAUSE – IMPERIAL GAMING CORPORATION, BILL McPHERSON

This item was tabled

WATER AGREEMENT – MOLLIE KATHLEEN MINE, BILL McPHERSON & DENNIS LANNING

This item was tabled

1ST AND FINAL READING ORDINANCE 2009-06 – A BILL FOR AN EMERGENCY ORDINANCE AMENDING SECTION 16-7-20 OF THE CITY OF CRIPPLE CREEK MUNICIPAL CODE TO ALLOW A PARKING EXEMPT ZONE ON A PORTION OF BENNETT AVENUE, LARRY MANNING

The Mayor read title only of Ordinance 2009-06. Motion by Woods to approve emergency Ordinance 2009-06 Second by Ledford and motion carried.

DISCUSSION – PROPOSAL SOLUTION TO BUDGET SHORTAGE / PRODUCTION OF MAILOUTS, JAN HAMILTON & RAY WHITE

There are city budget concerns concerning mailings of newly designed visitor information packets. Each packet costs \$6.89 per packet with an average of 529 packets being mailed per month. This price does not include the extensive labor costs. The Marketing Department and the Heritage Center currently do not have money in the budget to cover these costs. Finance Director Harris informed council the current back costs of \$9,000 can be covered with existing funds. This will allow time to prospect other means of advertisement such as DVD's, Bounce Back option on the internet, or glossy magazine for 3rd quarter and 4th quarter. \$15,000 is available with \$12,500 coming from the General Fund and the remaining amount of \$2,500 from the Outlaw and Lawmen's Jail Museum budget to get us through the end of 2009. Motion by Ledford to approve the fund transfer Second by Woods and motion carried.

RECOMMENDATION – FROM THE HISTORIC PRESERVATION COMMISSION FOR AWARDS FOR ROUND TWO OF THE RESIDENTIAL GRANT PROGRAM, KATHY STOCKTON

Ms. Stockton stated that at the June 11, 2009 meeting of the Historic Preservation Commission there were five applications for residential grants reviewed for the second round of the 2009 program. The total amount available is \$15,419. The Commission recommends the following awards: #1-228 W. Golden Ave., Kobza. Recommend \$3,875 (50% of lowest bid) with owner match of \$3,875 to remove and replace chinking and seal logs. #2-429 W. Carr Ave., Galvin. Recommend no award. #3-315 E. Eaton Ave., Williams. Recommend \$1,852.50 with 5% owner match of \$97.50 to repair and replace front porch including pillars and foundation. #4-305 W. Eaton Ave., Jeffery. Recommend no award. #5-121 Silver, Johnson. Recommend no award. Ledford inquired if the remaining funds of \$9,691 would go to a third round and was told there would not be a third round. Motion by DiCamillo to approve second round of residential grants Second by Woods and motion carried.

RECOMMENDATION – FROM THE HISTORIC PRESERVATION COMMISSION FOR USE OF TWO HISTORIC CABINS BY THE CRIPPLE CREEK DISTRICT MUSEUM, KATHY STOCKTON

Jan MacKell of the Cripple Creek District Museum to relocate the two historic cabins, currently owned by the City, located on Hwy 67 and Golden Avenue, to the museum's Hardrock Park located between the Assay Office and the Colorado Trading & Transfer Company buildings. The cabins will be displayed in remembrance of Jeff Miller. Ledford questioned if the museum is funding relocation. MacKell stated she had several volunteers to do so. Ledford suggested the City donate the cabins to the museum. Stockton shared with council a sign prepared by Tish Allen to be displayed in the Pisgah Cemetery. Motion by DiCamillo to approve the relocation and donation of the two historic cabins Second by Brown and motion carried.

BUSINESS LICENSE – WHITE WING CLEANING, ERIK RUMING

Deputy Clerk Fisher stated all fees and paperwork have been submitted. Motion by DiCamillo for approval of business license Second by Woods and motion carried.

PUBLIC COMMENT:

Dan Baader met with CDOT. He questioned them as to what to do with Bennett Avenue where the guardrail is falling off. CDOT is looking into this. Baader shared that there will be Cripple Creek signs on the I-25 exit. CDOT was made aware that the City has been plowing their state highway. City of Cripple Creek will be reimbursed \$60,000 for snow plowing and to continue to maintain streets per year plus curb, gutter and sidewalk expenses of \$60,000. **Sandra DiCamillo** announced a free concert by the 101st Army Band of the Colorado Army National Guard will be performing in the CC/V High School Cafetorium.

Meeting adjourned at 6:26 PM

APPROVED:

ATTESTED:

Dan Baader, Mayor

Stephanie L. Fisher, Deputy Clerk