

August 3, 2011

5:30 PM

Mayor Brown called the regular meeting of the City Council to order. Present were Council Ashworth, Wahrer, Hazlett, Clerk Blevins, Administrator White, Attorney Phillips.

Minutes of the July 20, 2011 meeting were approved as written, with Zoellner abstaining.

CITY ADMINISTRATOR REPORT:

Administrator White stated the road construction on Teller 1 will be completed in time to not interfere with the Teller County Fair this weekend. We will be doing striping on the edges of the roadway before the Veterans Rally; and curb, gutter and sidewalk project on Carr Avenue. There was a residential fire at 1st Street and McKinney Street last night, everyone in the home including the pets are all fine, but the home is a loss. Thank you to the Police and Fire Department for a job well done. White read a press release from the 4th Judicial District Attorney's Office stating there will be no charges in the September 10, 2010 fire in Cripple Creek that killed Erica Girard and Joshua Carroll and injured Keith Girard. The fire was determined to be accidental. Despite several rumors, the office found that the fire was not related to drug activity. Mayor Brown thanked Michelle Rozell Jail Museum Director for a job well done at last weekend's 110 year anniversary celebration.

FINANCE DIRECTOR REPORT:

Finance Director Harris there were no transfer request at this time, but there is an expenditure request on the agenda.

PLANNING & HISTORIC PRESERVATION REPORT:

Development Director Manning stated the Bennett Avenue painting project is about 80% complete. The Dollar Store is progressing. He stated that Big Jim's casino continues to operate under a temporary certificate of occupancy. There are two residential grants that have been completed and about six are still in the process.

REQUEST FOR MODIFICATION OF AN AGREEMENT WITH HABITAT FOR HUMANITY REGARDING DEVELOPMENT OF HOMES ON PORPHYRY STREET, Jill Sievers:

Jill Sievers, Executive Director for Habitat for Humanity of Teller County and Deborah Petty Treasurer asked the Council to declare the contract between the City of Cripple Creek and Habitat for Humanity of Teller County complete. Attorney Phillips stated the two remaining items for completion of the contract would be the duplex at 211 & 215 Porphyry and the completion of the street. There was no public comment. Motion by Zoellner to have Attorney Phillips prepare the agreement necessary for this action Second by Ashworth and motion carried.

RECOMMENDATION FROM THE MT. PISGAH CEMETERY BOARD FOR CHANGES TO THE RULES AND REGULATIONS FOR MT. PISGAH CEMETERY, Kathy Stockton

Historic Preservation Manager Stockton stated she would like to make it clear to the public there is no shortage of plots at the Cemetery. The request before Council is the clarification of the definition of "Resident" and "Residing" as follows: a) Section 1 "Designation and Definitions" Part "B", Definitions: Item 10: Resident" Item c: "A person designated as a resident by City Council. If the resident status of the applicant cannot be verified by the City Clerk, such status will be determined by the Cemetery Board. The decision as to resident compliance shall be submitted by the Cemetery Board to the City Council for final review and such designation as to resident status of the applicant or his/her representative shall be made by the City Council whose determination shall be final. b) Item 11: "Residing" (delete current language and replace with) An individual shall be considered as residing in The City of Cripple Creek if his/her principal or primary home or place of abode lies within the City limits. Principal or primary home or place of abode is that home or place in which his/her habitation is fixed and to which a person, whenever he/she is absent has the present intention of returning after departure or absence there from regardless of the duration of absence. In determining what is a principal or primary place of abode of a person, the following circumstances relating to such person may be used to verify qualification as a resident: 1) Proof of payment of all utility bills at the principal or primary home or place of abode 2) such principal or primary home or place of abode or associated Post Office Box is noted as such on his/her Colorado and/or Federal Income tax forms. c) Section 4: Sale and Recording of Cemetery Plots Second Paragraph: Amended to read: Upon presentation to The City Clerk of the above listed information and any payment due for the sale of a plat to any person, the City Clerk shall cause proper conveyance of a Certificate of Ownership to be executed to the named Grantee of such plot, containing a description of the plot and signed by the City Clerk. In the event that the City Clerk cannot verify resident status of the applicant or his/her representative, such determination will be made as described in Part B, Item 10, sec.c, and Item 11 or this document. There was no public comment. Motion by Wahrer to approve the recommended changes Second by Hazlett and motion carried.

AWARD OF CONTRACT FOR MASONIC AVENUE IMPROVEMENTS, David Mijares:

Mr. Mijares stated there were 4 bids received for the project in the 200-300 block of Masonic Avenue, with the lowest of these being in the amount of \$187,364.00 by Blue Ridge Construction. There was no public comment. Motion by Ashworth to award the contract for Masonic Avenue to Blue Ridge Construction Second by Wahrer and motion carried.

AN EMERGENCY ORDINANCE RESCINDING THE CURRENT FIRE BAN, Ray White:

Mayor Brown read title only of Ordinance #2011-10. Administrator White stated that Teller County has now gone to a Stage 1 Fire Ban and the City of Cripple Creek would like to lift the ban that was put into place earlier this year. There was no public comment. Motion by Mayor Brown to approve Ordinance #2011-10 Second by Wahrer and motion carried.

PUBLIC COMMENT:

None

Meeting adjourned at 6:00

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Debra Blevins, City Clerk