

August 4, 2010

5:30 PM

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

Minutes of the July 21, 2010 meeting were approved as written with Wahrer and Zoellner abstaining.

CITY ADMINISTRATOR REPORT:

Administrator White informed council the bid opening for Parks & Recreation will be on Monday morning and the results will be presented to the Council on August 18th agenda. The City received two awards one from the Marine Corp League presented to Jan Hamilton, Maria Cunningham and Pat Martin, and for the 2nd time the City was awarded the Best of the Springs Day Trip.

FINANCE DIRECTOR REPORT:

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

PLANNING & HISTORIC PRESERVATION DIRECTOR REPORT:

Development Director Manning stated the grading for the Aspen Heights project was discussed today with Mr. Godin, Chip Huffman, and the contractor. Staff feels some of the concerns Mr. Godin had have now been worked out. Letters were sent to all the businesses in the City regarding the removal of the banner moratorium, some banner applications have been coming in. Also a letter informing of the meetings for August 11-12 regarding the form base code were sent to all the businesses. The Heritage Center addition is moving along the framing is complete. Staff is working on getting a clear title on the Parks & Recreation Center. The heli-pad is complete and in use. Mr. Godin stated he would like for the record to state the agreement is for no more than 2 ½ feet of his property to be taken for the road.

RECOMMENDATION – MT PISGAH CEMETERY BOARD FOR PERIMETER FENCE FOR CEMETERY, Sandra DiCamillo:

DiCamillo stated she is requesting the Council approve of an additional \$9,812.00 to place a five foot chain link fence around the perimeter of the cemetery; \$30,000.00 has been budgeted for this item. There was much discussion on what type of fencing should be used. Motion by Ledford to transfer the \$6,000.00 from the cattle guard and the remaining \$3,812.00 to be supplemented after a plan is submitted to the building department and approved motion died due to the lack of a second. Motion by Wahrer to deny the request Second by Ashworth and motion carried. DiCamillo handed the Mayor her resignation letter.

2ND READING OF ORDINANCE #2010-09 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 2 OF THE CRIPPLE CREEK MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 16-2-150 PROHIBITING CERTAIN USES RELATING TO MEDICAL MARIJUANA, Lee

Phillips:

Mayor Brown read title only of Ordinance #2010-09. There was no public comment. Motion by Zoellner to approve 2nd reading of Ordinance #2010-09 Second by Ledford and motion carried.

CHANGE ORDER – HERITAGE CENTER TRANSPORTATION ADDITION PROJECT, Larry

Manning:

Development Director Manning stated there are several change orders to the construction at the Heritage Center Addition, the largest item being the interpretive displays. The following changes were requested; 1) Loading doors will be placed in a portion of the west façade to allow for large displays to be taken in and out of the addition and the existing building. Add \$3,898.46; 2) the exterior wood siding on the existing building will be removed and sheetrock will be placed and finished to prepare the surface for a wall mural in the addition. Add \$1,258.37; 3) a portion of the existing exterior concrete slab will be removed and a new slab placed to match the level of the interior floor of the addition. Add \$1,121.67; 4) a portion of the foundation footer of the existing building will be removed to allow for the proper connection of the addition foundation. Add \$599.80; 5) interpretive displays will be added including a wall mural, floor treatment, railings, signs, and a computerized station with historic data and photos. Add \$36,608.50. The project budget is funded 80% by CDOT. There was no public comment. Motion by Ledford to approve the change order Second by Ashworth and motion carried.

APPROVAL – OF AMENDMENTS TO A DEVELOPMENT PLAN FOR A PARKING LOT AT 172 E BENNETT AVENUE AND 117 SOUTH SECOND, WMCK Venture Corporation:

This item was tabled per the applicant until the August 18th meeting.

PLANNING COMMISSION BUSINESS – REQUEST FOR A CONDITIONAL USE PERMIT IN THE BB&H ZONE TO ALLOW A LIGHT MANUFACTURING FACILITY AT 213 W. MASONIC AVENUE (L33-37, B7, CR CK FREEMAN PLACER ADDITION) Gary Birch, dba mySnark LLC, applicant, Larry Manning:

Development Director Manning stated the applicant request approval of a Conditional Use to allow a light manufacturing use in the BB-H Zone. The site was previously used as an auto service garage. There are no planned changes to the site. There was no public comment. Motion by Ledford to approve the Conditional Use Permit Second by Wahrer and motion carried.

CHANGE ORDERS – SIDEWALK & DRAINAGE, Chip Huffman:

Public Works Director Huffman stated Council had directed him to make changes to the work to be completed for sidewalks, curb and gutter. Also Huffman was asked to add paving to the projects. Huffman is asking for an

additional \$29,846.00. There was no public comment. Motion by Ledford to approve the change order Second by Ashworth and motion carried.

LODGING TAX ELECTION RESOLUTION #2010-07 ALTERNATIVE 1 AND ALTERNATIVE 2, Lee Phillips:

Councilman Ledford was challenged for potential conflict of interest by Kevin Warner, and at the recommendation of Attorney Phillips removed himself from the Council table. Attorney Phillips explained the difference in alternative 1 and 2. Alternative 1 would be a \$5.00 per day fee for all rooms (including comped rooms) and could generate \$925,000.00 Alternative 2 would be a \$5.00 per day excluding comped rooms and could generate \$675,000.00. There was public comment from Mike Smith, Anne Tobey, Lee Godin, Kevin Warner, and Eldon Likkel. Motion by Ashworth to approve Alternate 2 with the deletion of Recreational Vehicle Pads and correction of \$675,000.00 to \$635,000.00 Second by Wahrer and motion carried.

RESOLUTION #2010-09 – A RESOLUTION SUPPORTING THE SOUTHERN TELLER COUNTY HOSPITAL DISTRICT MILL LEVY BALLOT QUESTION AND URGING ALL CITIZENS OF THE CITY OF CRIPPLE CREEK TO VOTE IN FAVOR THEREOF, Tim Braun:

Mayor Brown read title only of Resolution #2010-09. Tim Braun gave a presentation informing the citizens of Cripple Creek we are close to losing the service of one of the ambulance we use in the City. Judith McPherson stated Friends of the District need help from all the citizens in Cripple Creek be it monetary or volunteering. Motion by Ledford to approve Resolution #2010-09 Second by Zoellner and motion carried.

PUBLIC COMMENT:

Meeting adjourned at 7:30 PM

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Debra Blevins, City Clerk