

October 6, 2010

5:30 PM

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

Minutes of the September 15, 2010 meeting were approved as written.

CITY ADMINISTRATOR REPORT:

Administrator White stated that the City has found a temporary physician for the Medical Plaza. His name is Walton Creech and he will be starting on October 12th, but will not begin seeing patients until October 13th. The doctor will have a four day operation at first and based on the need, may adjust the schedule accordingly. The October 20th council meeting has been cancelled. The council members will be attending a meeting regarding the Gilpin County initiative; White feels this is critical for council. There are representatives from Teller County that will be attending and the Cripple Creek-Victor gold mine is planning to prepare a letter of opposition. White stated that the Rocky Mountain Water Association has given the City of Cripple Creek a 3 year award for its water treatment. Cripple Creek was chosen from the tri-state area of Wyoming, Nevada, and Colorado. White gave his congratulations to Shorty Bielz. White stated there is a fraud alert to be aware of; residents have received cashier's checks from a company called Dreyfuss Trust Marketing in the amount of \$3,000. These checks are fraudulent, so if anyone receives one, they can contact the Cripple Creek Police Department.

FINANCE DIRECTOR REPORT:

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

PLANNING & HISTORIC PRESERVATION DIRECTOR REPORT:

Development Director Manning stated the Heritage Center addition is in the final stages. The new site for the grocery store has been discussed and they are moving forward with that project.

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

Staff has reviewed the plan and they would like for the following items to be approved: 1) Place a 5 feet tall wood picket fence along the Bennett frontage between the Palace Hotel and the building to the west, 2) Place a 5 feet tall wood picket fence along the south side of the north lot from the building to the west to within 22 feet of the alley exit of the lot, 5) Lower the number of total handicapped spaces to the minimum standard, and 8) Allow no controlled gates at the alley for both lots where they were previously approved. Councilman Ledford asked why WMCK Venture would place a wood fence on Bennett instead of something more attractive such as wrought iron. The staff does not feel that item #3 of the plan was a good policy because the dumpsters are not related to any business adjacent to the alley. Vera Deel from WMCK Venture stated that there are several other businesses nearby that do the same thing. There was no public comment. Motion by Ledford to approve the amendments adding item #3 and changing the wood fence to wrought iron Second by Zoellner and motion carried.

REQUEST – FOR APPROVAL OF A DEVELOPMENT PLAN FOR AN RV PARK IN THE C-1 ZONE AT 337 E WARREN AVENUE, MAURICE WOODS, APPLICANT

Development Director Manning stated that he did not receive the development plan from the applicant until after the deadline for preparation of the council packets. Woods stated that he did not realize he had to have the plan ready so soon. The council stated they were not prepared to make any decisions since they were not able to view the plan ahead of time and staff had not had a chance to review the plan. Woods asked if council could go ahead and take a look at his plan and they told him they could not until after the staff had reviewed it in detail. There was no public comment. Motion by Zoellner to table this item until the November 3rd council meeting Second by Ashworth and motion carried.

COUNCIL BUSINESS – PLANNING COMMISSION RECOMMENDATIONS FOR A VARIANCE IN THE B & H ZONE AT 123 N. 3RD STREET TO ALLOW CONTINUED USE OF THE EXISTING PROJECTING SIGN TO INCLUDE INTERNAL LIGHTING, IMPERIAL HOLDINGS GROUP, LLC, APPLICANT

Councilman Ledford removed himself from the table. Development Director Manning stated the applicant is requesting approval of a variance to the sign ordinance to allow an existing sign to remain. The ordinance allows 30 days after a business is closed for reuse of a sign. In this case the sign was in existence when the ordinance was enacted and was considered "existing, non-conforming", which meant it could remain until the expiration of the 30 days for reuse but then loses its status. Staff recommends approval of the request with the condition that no other sign be placed on the hotel building except for awning signs and temporary banners. There was no public comment. Motion by Ashworth to approve staff recommendations Second by Wahrer and motion carried. Councilman Ledford returned to the table at this time.

RECOMMENDATION – FROM THE HISTORIC PRESERVATION COMMISSION FOR FUNDING FROM THE COMMERCIAL GRANT PROGRAM FOR EXTERIOR PAINTING AT 207 E. CARR AVENUE, MONA HUFFMAN, APPLICANT

Council asked what is historic about this building and Development Director Manning stated that it has a historic footing and was built in the historic period. He also stated that Historic Preservation funds have been used in the past for the roof of this building. He said the cost for the painting is going to cost about \$650, so

council said that since it is such a small amount they felt it could be done. There was no public comment. Motion by Wahrer to approve funding Second by Zoellner and motion carried.

RESOLUTION 2010-10 – A RESOLUTION OPPOSING PROPOSITION 101 AND AMENDMENTS 60 AND 61, LEE PHILLIPS

Phillips stated that all of the local governments he has worked with have found that these ballot issues would be devastating to small towns. Finance Director Harris stated that these would not be good for Cripple Creek. He said that Amendment 60 has to do with property taxes. Amendment 61 does not allow leasing of equipment which shortens the length of time a city can carry debt. Proposition 101 has to do with motor vehicles and is very destructive. There was no public comment. Motion by Ledford to approve Resolution 2010-10 Second by Ashworth and motion carried.

RESOLUTION 2010-11 – A RESOLUTION SUPPORTING THE CRIPPLE CREEK-VICTOR SCHOOL DISTRICT MILL LEVY BALLOT QUESTION, RICHARD THOMAS

Thomas stated that there were 4 members of Always Believe in Children Drive (ABCD) present. He said that the school is facing cuts in funding and that this mill levy would lessen the impact of future budget cuts. Thomas stated that this mill levy would amount to about \$1.47 per \$100,000 property value. Brent Kennedy stated that the school is already working with the bare minimum and encouraged citizens to vote for this issue. He also stated that the number on the resolution should say 2.493 mills and it is a mill levy override, not a school bond. There was no public comment. Motion by Wahrer to approve Resolution 2010-11 with the following corrections: **2.493 mills** instead of \$574,670 and **mill levy override** instead of bond issue Second by Ashworth and motion carried.

PUBLIC COMMENT:

Lee Godin, 427 W Golden, stated that he met with Councilman Ledford about an ongoing problem with the water flow on West Golden. He said he was told that the water would follow the curb and gutter and go down the alleyway. He said that he was told by Public Works that they would take care of any washouts or other problems with that area. He said that Chip, Richard, and Larry had discussed widening his road, but that he doesn't want anything changed. He also stated that he appreciates Chip coming over to speak with him. **Lou Goldman**, 325 E Bennett, stated that he enjoys the new sidewalks and curbs that have been installed but that some the light poles have cement splattered on them and he would like to see it fixed. Mayor Brown stated that he will let Blue Ridge Construction know.

Meeting adjourned at 6:20 PM

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Jessica Memmer, Deputy City Clerk