

Mayor Bruce Brown called the regular meeting of the City Council to order. Present were Council Terry Wahrer, Steve Zoellner, Chris Hazlett, Milford Ashworth, City Clerk Debra Blevins, Administrator Ray White, and Attorney Lee Phillips.

Minutes of the February 6, 2013 meeting were approved as written.

PUBLIC COMMENT:

Jane Mannon of the Cripple Creek & Victor Gold Mine stated she would like to do some rumor control. The rumor is that the Cripple Creek & Victor Narrow Gauge Railroad is closing due to a dispute with the Cripple Creek & Victor Gold Mining Company. This is not true. The railroad sold a 1600 foot section of the rail right-of-way in Squaw Gulch in 2010 to the mine. Even though this will make the route for the train somewhat shorter there is no reason the train will need to close. Part of the 2010 sale agreement included the commitment by the mine to deed, at no cost to the railroad, a certain property if the mine were to ever purchase this property. In 2012 the mine was able to purchase this certain property. The mine did a transfer of the surface rights to the railroad and even though the 2010 agreement says nothing of the mineral rights the railroad is insisting that the mineral rights be included. Both parties have entered into mediation.

CITY ADMINISTRATOR REPORT:

Administrator Ray White stated just before the meeting he was informed there is a very strong probability that there will be an amendment to the "Sunset Gaming Bill" (Gilpin County) coming before the State Senate this session. This could have a huge effect on the gaming funds the city receives from the State. Administrator White introduced John Posusta the new Economic Development Director for the Chamber. John stated he has been a resident of Woodland Park for 7 years now and looks forward to working with everyone.

FINANCE DIRECTOR REPORT:

Paul Harris Finance Director stated he has several items on the agenda this evening.

REQUEST FOR APPROVAL OF AMENDMENT TO THE PREVIOUSLY APPROVED PROFESSIONAL SERVICES AGREEMENT WITH PARSONS BRINCKERHOFF FOR THE BENNETT AVENUE IMPROVEMENT PROJECT:

Public Works Director Jim Blasing stated the attorney for Parsons Brinckerhoff has requested the changing of five words on page 4 paragraph 7. Attorney Phillips stated he approves the changes as to legality and form. There was no public comment. Motion by Ashworth to approve the Amended Agreement with Parsons Brinckerhoff Second by Hazlett and motion carried.

REQUEST APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR TRNSIT CONSULTANT:

Finance Director Paul Harris stated this agreement will be between the City of Cripple Creek and TransitPlus, as consultants for the transit system. The cost will be \$29,783.00. There was no public comment. Motion by Wahrer to approve the Agreement between the City and TransitPlus Second by Zoellner and motion carried.

REQUEST FOR APPROVAL OF A LEASE AT THE MEDICAL PLAZA WITH A NEW DENTIST:

Finance Director Paul Harris stated Dr. Sterling is bringing in a new dentist, Dr. Nicole Leadley. Since Dr. Leadley will be the primary dentist working 3 days per week and Dr. Sterling working 2 days per week the new lease will be with Dr. Leadley. There was no public comment. Motion by Hazlett to approve the new lease between the City of Cripple Creek and Dr. Nicole Leadley Second by Zoellner and motion carried.

APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION AND MT. PISGAH CEMETERY BOARD:

Historic Preservation & Planning Coordinator Kathy Stockton stated as of March 1, 2013 the following terms expired on the Historic Preservation Commission: 1) Nancy McDonald, 1 year term, 2) Les Batson, 1 year term, 3) Steve Veatch, 1 year term and Robert Goll, 2 year term. All of the current members have indicated they are willing to serve another term. Also Teresa Stitt has volunteered to be Chairperson of the Mt. Pisgah Cemetery Board. There was no public comment. Motion by Hazlett to approve the reappointments for the Historic Preservation Commission and the Mt. Pisgah Cemetery Chairperson Second by Ashworth and motion carried.

REQUEST FOR APPROVAL OF RECOMMENDATIONS BY THE HISTORIC PRESERVATION COMMISSION TO REVISE THE 2013 HISTORIC PRESERVATION GRANT PROGRAM GUIDELINES:

After much discussion Zoellner motioned to table this item until the March 20, 2013 meeting Second by Wahrer and motion carried with Zoellner abstaining.

RECOMMENDATION BY THE HISTORIC PRESERVATION COMMISSION FOR A CERTIFICATE OF APPROPRIATENESS AT 427 W. CARR AVENUE, SANDRA CHAPMAN APPLICANT:

Historic Preservation & Planning Coordinator Kathy Stockton stated the applicant is requesting approval of a COA for new construction of a drive-up coffee business at 427 W. Carr Avenue. The structure will be a 16'x10' barn (this size was approved by the Historic Preservation Commission, the applicant now is proposing a 20'x10' barn) there will be a walk-up counter and a drive-up window. There will be an 8'x12' deck for outdoor seating; a circle drive will provide traffic flow to the drive-up window and ingress/egress to the business. The applicant is proposing two customer parking places on the SW corner of the property and one employee parking space behind the building. In general the façade uses the features of a historic barn but will be a modern

structure with wooden siding and a metal roof. There was no public comment. Motion by Zoellner to approve the Certificate of Appropriateness at 427 W. Carr Avenue Second by Ashworth and motion carried.

PLANNING COMMISSION BUSINESS, REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT IN THE BB ZONE TO ALLOW A DRIVE-UP SERVICE WINDOW AT A BUSINESS AT 427 W. CARR AVENUE (L30-33, B5, CR CK M. NEUMAN ADD):

Historic Preservation & Planning Coordinator Kathy Stockton stated the Historic Preservation Commission has approved the Certificate of Appropriateness for the design of the building since a barn structure has historic precedence in this area. The applicant is requesting approval of a Conditional Use Permit to allow a drive-up window at a business at 427 W. Carr Avenue. There was no public comment. Motion by Zoellner to approve the Conditional Use Permit in the BB Zone to allow a drive-up window at a business at 427 W. Carr Avenue Second by Ashworth and motion carried.

CITY COUNCIL BUSINESS, REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT IN THE BB ZONE TO ALLOW A DRIVE-UP SEERVICE WINDOW AT A BUSINESS AT 427 W. CARR AVENUE (L30-33, B5, CR CK M. NEUMAN ADD):

Historic Preservation & Planning Coordinator Kathy Stockton stated the Planning Commission has approved the Certificate of Appropriateness for the design of the building since a barn structure has historic precedence in this area. The applicant is requesting approval of a Conditional Use Permit to allow a drive-up window at a business at 427 W. Carr Avenue. There was no public comment. Motion by Hazlett to approve the Conditional Use Permit in the BB Zone to allow a drive-up window at a business at 427 W. Carr Avenue Second by Zoellner and motion carried.

REQUEST APPROVAL OF CABLE TV SYSTEM ASSET PURCHASE AGREEMENT:

IT Director Doug Estrada stated this item had been discussed in December with Council. Baja Broadband would like to sell the cable TV system to the City of Cripple Creek for \$1.00. The city will also need to become a member of the Co-op to obtain TV channels at a cost of \$1500.00 it will take up to 90 days for approval. If this request is approved the City will then lease the system to an outside contractor to operate. There was no public comment. Motion by Hazlett to approve the cable TV asset purchase agreement Second by Wahrer and motion carried.

RESOLUTION #2013-03 A RESOLUTION SUPPORTING THE NAMING OF HIGHWAY 67 – POW/MIA MEMORIAL HIGHWAY:

Administrator White stated the American Legion Post of Colorado is requesting the City support the naming of HWY 67 from Divide to Cripple Creek “The POW/MIA Memorial Highway.” There was no public comment. Motion by Zoellner to approve Resolution #2013-03 with the correction of adding “Support” to the title of the resolution Second by Hazlett and motion carried.

At this time Mayor Brown stated Jessica Memmer the Deputy City Clerk is leaving the City of Cripple Creek after 3 years of service to move to Jacksonville Florida. The Council thanked Memmer for her service and wished her well on her new adventure. Attorney Phillips also stated the Judge and the Prosecuting Attorney will greatly miss Jessica.

Meeting adjourned at 6:40 P.M.

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Debra Blevins City Clerk