

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

Minutes of the April 3 & 17, 2013 meeting were approved as written.

PUBLIC COMMENT:

Les Batson stated Saturday May 4 at 11:00 am the Fire Wagon will be delivered to Fire Station #3. On Saturday May 18 there will be an open house at Fire Station #3.

CITY ADMINISTRATOR REPORT:

Administrator Ray White stated Saturday May 18th will be a busy day. There are still seats available for the Victorian Tea at Carr Manor, the tickets are \$20.00. The City will be having its spring clean-up days on Saturday May 18th and Sunday May 19th from 9am – 3pm at public works. The Gilpin County bill will be going to the floor tomorrow. So far there have been no amendments made to the bill.

FINANCE DIRECTOR REPORT:

Paul Harris Finance Director stated he has no budget transfers or line item request this evening.

COUNCIL BUSINESS RECOMMENDATION FROM THE PLANNING COMMISSION REQUEST TO REZONE MT PISGAH CEMETERY ANNEXATION PROPERTY AT 997 TELLER COUNTY ROAD 1 (GENERALLY LOCATED IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 70 WEST OF THE 6TH P.M. TELLER COUNTY, COLORADO) CITY OF CRIPPLE CREEK APPLICANT:

Planning Coordinator Kathy Stockton stated this is the final hearing for rezoning the Mt Pisgah Cemetery since the annexation process has been completed. There was no public comment. Motion by Hazlett to approve the rezoning of Mt Pisgah Cemetery to the PR (Preserve) Zone Second by Wahrer and motion carried.

PLANNING COMMISSION BUSINESS REQUEST FOR CONDITIONAL USE PERMIT IN THE R3-4 ZONE TO ALLOW A B&B AT 140/142 BISON STREET (L 3-4, B28, HAYDEN PLACER ADD) VASSIL PETROV APPLICANT:

Development Coordinator Kathy Stockton stated the applicant request a Conditional Use Permit to allow a Bed & Breakfast Inn at 140/142 Bison Street. The property is a 2,520 square foot duplex with three bedrooms per unit. There was discussion regarding the parking area and the fact the owners will not be residing on the property. Rodger Oetjin was present to speak for the applicant and stated Mr. and Mrs. Petrov have purchased a home on El Paso Street and will be available if needed. Motion by Ashworth to approve the Conditional Use permit for 140/142 Bison Second by Hazlett and motion carried.

COUNCIL BUSINESS RECOMMENDATION FROM THE PLANNING COMMISSION FOR A CONDITIONAL USE PERMIT IN THE R3-4 ZONE TO ALLOW A B&B AT 140/142 BISON STREET (L3-4, B28, HAYDEN PLACER ADD) VASSIL PETROV APPLICANT:

Motion by Wahrer to approve the Conditional Use Permit for 140/142 Bison for a Bed & Breakfast Second by Ashworth and motion carried.

REQUEST FOR A WATER LEASE BY B LAZY M, GARY LEDFORD APPLICANT:

This item was tabled until May 15th Council Meeting.

PUBLIC HEARING FOR A NEW TAVERN LIQUOR LICENSES AT 123 E BENNETT AVENUE, SWEET BABY GEORGE'S:

City Clerk Blevins stated this item has been removed from the agenda per the applicant.

RESOLUTION #2013-04 A RESOLUTION AMENDING SECTION 2.01 AND 5.01 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE CITY OF CRIPPLE CREEK:

Mayor Brown read title only of Resolution #2013-04. Human Resources Director Carol Stotts stated this resolution is for the purpose of changing the number of hours an employee is allowed to work when a part-time employee. The hours have been reduced from thirty five (35) hours to twenty nine (29) hours. There was no public comment. Motion by Zoellner to approve Resolution #2013-04 Second by Ashworth and motion carried.

RESOLUTION #2013-05 A RESOLUTION APPROVING THE LEASE OF A NEW PUMPER TRUCK FOR THE FIRE DEPARTMENT WITH SUNTRUST LEASING CORPORATION:

Attorney Phillips stated that SunTrust Leasing Corporation accepted the minutes from the March 20, 2013 meeting and this Resolution could be pulled from the agenda.

REQUEST FOR APPROVAL OF A CORRECTION TO PREVIOUSLY APPROVED PROFESSIONAL SERVICES CONTRACT WITH SHORT ELLIOTT HENDRICKSON (SEH) FOR THE TELLER 1 HES SAFETY IMPROVEMNET PROJECT:

Public Director Jim Blasing stated when the original agreement was signed in December of 2012 there was a clerical error stating the payment would be “lump sum” it is now changed to read “cost plus.” There was no public comment. Motion by Zoellner to approve the correction to the Professional Services Agreement as presented by Jim Blasing Second by Hazlett and motion carried.

ADOPTION OF CITY OF CRIPPLE CREEK TRANSIT DRUG AND ALCOHOL POLICY:

Human Resources Director Carol Stotts stated this new policy will replace the DOT policy now in place. The main change is now only CDL drivers are selected for the random drug testing. Now any transit driver will be placed in the pool for random drug testing. There was no public comment. Motion by Ashworth to approve Adoption of the new City of Cripple Creek Transit Drug and Alcohol Policy Second by Wahrer and motion carried.

1st READING OF ORDINANCE #2013-03 A BILL FOR AN ORDINANCE APPROVING THE ZONING OF THE PROPERTY COMMONLY KNOWN AS THE MOUNT PISGAH CEMETERY PROPERTY GENERALLY LOCATED IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 70 WEST OF THE 6TH PM, CRIPPLE CREEK, COLORADO TO PR (PRESERVE):

Mayor Brown read title only of Ordinance #2013-03. There was no public comment. Motion by Wahrer to approve 1st reading of Ordinance #2013-03 Second by Ashworth and motion carried.

PLANNING COMMISSION BUSINESS REQUEST FOR A CONDITIONAL USE PERMIT IN THE R-2 ZONE TO ALLOW A HOME OCCUPATION FOR GIFT BASKET ASSEMBLY AREA AT 115 W. EATON AVENUE (L 1-3, B1 FREEMAN PLACER ADD LINDSEY CHAPMAN, APPLICANT):

Development Coordinator Kathy Stockton stated the applicant request approval of a Conditional Use Permit to allow a Home Occupation for a Gift Basket Assembly Area at 115 W. Eaton Avenue. There will be no traffic since Ms. Chapman will be assembling the baskets in one room of her home and then will deliver the baskets herself. There was no public comment. Motion by Zoellner to approve the Conditional Use at 115 W. Eaton Avenue Second by Hazlett and motion carried.

PLANNING COMMISSION BUSINESS REQUEST FOR A CONDITIONAL USE PERMIT IN THE R-2 ZONE TO ALLOW A HOME OCCUPATION FOR A BODY ART/TATTOO STUDIO AT 131 W. EATON AVENUE (L 11-12, B1, FREEMAN PLACER ADD) MICHAEL ROSS, APPLICANT:

Development Coordinator Kathy Stockton stated the applicant request approval of a Conditional Use Permit to allow a Home Occupation for Body Art/Tattoo Studio at 131 W. Eaton Avenue. There is a garage area that will be used with some small modifications to the garage door and petition walls for privacy. Stockton stated she has received one letter of concern about possible noise. Michael Ross the applicant stated there will only be one customer at a time. The hours will be from 9 am – 9 pm, all tattoo shops have to operate under State Guidelines. Motion by Zoellner to approve the Conditional Use Permit at 131 W. Eaton Avenue Second by Wahrer and motion carried.

Meeting adjourned at 6:00 P.M.

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Debra Blevins City Clerk