

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 May 1, 2013 meeting were approved as written.

**PUBLIC COMMENT:**

**Jane Mannon** with the Cripple Creek & Victor Gold Mining Company stated they had received word today that the Cripple Creek & Victor Narrow Gauge Railroad is set and ready to go. They now have a y at the end of the route and will be able to turn the train around instead of backing up when returning to Cripple Creek. The mine plan has changed slightly they will now not be in the Cripple Creek View Shed until 2016. At first they were thinking it would be in 2014. You will see tree and topsoil removal beginning in 2015.

**CITY ADMINISTRATOR REPORT:**

Administrator Ray White reminded all of the clean-up days are this Saturday and Sunday 9-3. We have the normal limitations on what we cannot accept. There will be trash bags at the Aspen Mine Center for those who would like to assist in cleaning Bennett, Carr and Myers. Thanks to Deb Hack for putting this together. The Legislative Session closed last week with the Sunshine bill passing without the amendment we were concerned about being attached. The new transit shuttle to Victor started on Monday. We started soft with little advertising but will step that up next month.

**FINANCE DIRECTOR REPORT:**

Paul Harris Finance Director stated he will be attending the Department of Gaming meeting tomorrow to present the City of Cripple Creek annual report.

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

Development Director Kathy Stockton stated the applicant is requesting approval of a Conditional Use Permit to allow a Home Occupation for Gift Basket Assembly Area at 115 W. Eaton Avenue. This request was approved by the Planning Commission on May 1, 2013. There was no public comment. Motion by Hazlett to approve the Conditional Use Permit at 115 W Eaton Avenue, Second by Wahrer and motion carried.

**COUNCIL BUSINESS RECOMMENDATION FROM THE PLANNING COMMISSION 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;**

Development Director Kathy Stockton stated the applicant is requesting approval of a Conditional Use Permit for to allow a Home Occupation for Body Art/Tattoo Studio at 131 W. Eaton. This request was approved by the Planning Commission on May 1, 2013. There was no public comment. Motion by Wahrer to approve the Conditional Use Permit for 131 W. Eaton, Second by Zoellner and motion carried.

**PLANNING COMMISSION BUSINESS A REQUEST FOR A VARIANCE IN THE B ZONE AT 442 E. BENNETT AVENUE (L 15-BR-1, B23 CR CK FREMONT ADD) TO ALLOW AN ELECTRONIC SIGN, MAXIMUM SIZE NOT TO EXCEED 100 SQ FT. WHERE 10 SQ FT ARE ALLOWED, DOUBLE EAGLE RESORTS;**

Development Director Kathy Stockton stated the applicant is requesting approval of a Variance to the Sign Ordinance in the B-Zone to allow an Electronic Sign, maximum size not to exceed 100 sq. ft. where 10 sq. ft. are allowed. Bill Stankiewicz was present to represent the Double Eagle Resorts. Mr. Stankiewicz stated the casino simply wants to find a new way to broadcast to the public as they enter the city what the casino is doing. This will not be a flashing sign it will simply have events announced for the casino as well as some of the City events. There was public comment from Nancy Schechter, Lee Goden and Vincent Thoms who are against the new signage. Gary Ledford sated he was in favor of the new signage. There was lots of discussion on this matter between the Council members. Attorney Phillips stated the one criteria, the Council should mainly decide on was; "The proposal meets or exceeds the standard of the applicable zoning district except for the specific characteristics requiring relief from the standards of the zone district. Motion by Ashworth to approve the variance for the electronic sign in the B Zone at 442 E. Bennett Avenue with the condition that upon installation of the sign the applicant and the city will confer and cooperate regarding the illumination and operation of the sign, Second by Hazlett and motion carried.

**COUNCIL BUSINESS RECOMMENDATION FROM THE PLANNING COMMISSION A REQUEST FOR A VARIANCE IN THE B ZONE AT 442 E. BENNETT AVENUE (L 15-BR-1, B23 CR CK FREMONT ADD) TO ALLOW AN ELECTRONIC SIGN, MAXIMUM SIZE NOT TO EXCEED 100 SQ. FT. WHERE 10 SQ. FT. ARE ALLOWED, DOUBLE EAGLE RESORTS;**

Development Director Kathy Stockton stated the applicant is requesting approval of a variance to the Sign Ordinance in the B Zone to allow an Electronic Sign, Maximum size not to exceed 100sq. ft. are allowed. There was no public comment. Motion by Wahrer to approve the variance for the electronic sign in the B Zone at 442 E. Bennett Avenue with the condition that upon installation of the sign the applicant and the city will confer and cooperate regarding the illumination and operation of the sign, Second by Hazlett and motion carried.

**RECOMMENDATION FROM THE HISTORIC PRESERVATION COMMISSION REQUEST FOR FUNDING FROM 2013 RESIDENTIAL AND PUBLIC/NONPROFIT GRANT PROGRAMS:**

Development Director Kathy Stockton stated on May 2, 2013 the Historic Preservation Commission reviewed two applications for public/nonprofit grants and five applications for residential grants for the 2013 programs. The Commission recommends the following awards: 1) 400 E Carr Avenue, American Legion Post \$945 with no owner match for exterior prep and painting of (3) doors, (4) windows and trim. 2) 500 E Bennett Avenue, Trading and Transfer Building, Cripple Creek District Museum, \$2150 with no owner match for exterior prep and painting of doors, windows, sills, fascia and soffits. There was no public comment. Motion by Hazlett to approve the two nonprofit grants, Second by Zoellner and motion carried with Ashworth abstaining. 1) 409 S First Street, Tulley, no award recommended 2) 232 W Carr Avenue, Emerson & Baker \$17,488 with owner match of same amount to restore all 23 windows. 3) 423 Main Street, Carico, \$5,679 for roof with 5% owner match of \$299 4) 404 S First Street, Jackson & Fleming, \$10,675 for siding and exterior paint with owner match to cover remainder of siding 5) 400 S First Street, Jackson & Fleming, no award recommended. There was no public comment. Motion by Ashworth to approve the grant for 423 Main Street, \$5679 and 404 S First Street \$10,675, Second by Zoellner and motion carried.

**REQUEST FOR APPROVAL OF SUPPLEMENTAL AGREEMENT TO PREVIOUSLY APPROVED PROFESSIONAL SERVICES A\CONTRACT WITH SHORT ELLIOT HENDRICKSON (SEH) FOR THE TELLER 1 SAFETY IMPROVEMENT PROJECT:**

Public Works Director Jim Blasing stated they have discovered with this project there are some right-of-way issues as well as having some issues with some utilities that will need to be corrected before moving forward. There was no public comment. Motion by Wahrer to approve the Supplemental Agreement not to exceed \$20,620, Second by Ashworth and motion carried.

**SURPLUS WATER USE PLAN:**

Gary Ledford stated he would like to see the city have a plan for any surplus water the city might have. After much discussion Administrator White was instructed to contact City Water Attorney Chis Cummings to give an initial report.

Meeting adjourned at 6:50 P.M.

APPROVED:

ATTESTED:

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Bruce Brown, Mayor

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Debra Blevins City Clerk