

June 5, 2013

5:30 PM

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 15, 2013 meeting were approved as written.

PUBLIC COMMENT:

None

CITY ADMINISTRATOR REPORT:

Administrator Ray White stated the Cripple Creek Victor Gold Mine has donated 46 thousand pounds of shredded tire to Parks & Recreation. They will be placed on the playground at Parks & Recreation in September. The City Council Meeting for June 19th has been canceled due to members being at the CML conference. Maria Cunningham Events Director gave the Council an update of the events for June and July. June 13, The Thunderbird Nester adopting the Homestead House they will be meeting at the Heritage Center and lining up in the 200 block of Bennett Avenue, June 14-16 will be the Cowboy Rodeo there will be a dance, rodeo, and demolition derby. June 22 the Mountain Top Cycles club will be riding through the city. June 29-30 will be the Annual Donkey Derby Days. The Opera House will be opening on June 28. July 4 we will be having the fireworks, they will be relocated this year due to the dry weather. July 19 the United States Air Force Academy Band will be here for a concert in the evening.

FINANCE DIRECTOR REPORT:

Paul Harris Finance Director stated there are no expenditure or transfer requests at this time.

2ND 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 Ashworth Second by Wahrer to approve 2nd reading of Ordinance #2013-03 and motion carried.

1ST READING OF ORDINANCE #2013-04 – A BILL FOR AN ORDINANCE AMENDING SECTION 1-4-20 OF THE CRIPPLE CREEK MUNICIPAL CODE RELATING TO THE GENERAL PENALTY FOR VIOLATIONS OF THE CODE;

Mayor Brown read title only of Ordinance #2013-04. Attorney Lee Phillips stated the Legislative body of Colorado approved the increase of maximum fine the court may charge. Phillips read section (b) of the new Ordinance “the limitation on municipal fines set forth in paragraph (A) of this section 1-4-20 shall be adjusted for inflation on January 1, 2014, and on January 1 of each year thereafter. As used in this subsection (B), “inflation” means the annual percentage change in the United States Department of Labor, Bureau of Labor statistics, consumer price index for Denver-Boulder, All Items, or its successor index. There was no public comment. Motion by Zoellner second by Ashworth to approve 1st reading of Ordinance #2013-04 and motion carried.

LEASE OF CABLE TELEVISION SYSTEM BETWEEN THE CITY OF CRIPPEL CREEK AND TELLER NETCAST, LLC;

Finance Director Paul Harris stated the city purchased the cable company earlier this year for \$1.00 from Baja as they no longer wished to service the city with cable TV. Harris stated there are three items that have changed on the agreement. Item #1 should read “for year two of the lease, Lessee shall pay to Lessor the amount of half one percent(5%) and the sentence “For year three of the lease, the Lessee shall pay to Lessor the amount of one percent (1%) of the gross revenues received by Lessee for the operation. #2 will add “and or Internet system in the City of Cripple Creek #11 the last sentence will read the “Lessee” shall maintain insurance”. Doug Estrada stated as of now there are around 83 users of the cable service. Councilman Hazlett stated now when you are driving around the city if there are more two or three houses close to each other there are lots of stuff all clumped together. Is there a way to make this look nicer and neater? Estrada stated yes our goal is to upgrade

the system and to not only have cable TV service but to also provide internet services. There was no public comment. Motion by Hazlett second by Zoellner to approve the lease agreement in substantial form and motion carried.

REQUEST TO PARTICPATE IN THE COORDINATED ELECTION TO BE HELD ON NOVEMBER 5TH, 2013:

City Clerk Blevins stated she is requesting approval to participate in the coordinated election for November 5th 2013 General Election. It is less expensive than holding our own election. There was no public comment. Motion by Wahrer second by Ashworth to approve the City Clerk signing a letter of intent to participate in the November 5th 2013 Coordinated Election and motion carried.

RECOMMENDATIONS FROM THE HISTORIC PRESERVATION COMMISSION REQUEST FOR FUNDING FROM 2013 RESIDENTIAL COMMERCIAL GRANT PROGRAMS:

Historic Preservation Coordinator Kathy Stockton stated the Historic Preservation Commission is requesting approval of three awards for Commercial Grant Program: 1) 246 E. Bennett Avenue (General Store) Woods, \$14,425 for new roof with owner matching; 2) 146 Bison Street (residential rental) Fleming & Jackson, \$1,250 for exterior painting with owner matching; 3) 200/202 E. Bennett Avenue (historic Bi-Metallic Bank Building) Century Casinos \$19,916.50 for new roof with owner matching. There were five other requests and although they were potentially eligible projects, the Commission is recommending no award due to a lack of one or more requirement in the guidelines. They are as follows; 123 N Third street, 313 E. Carr Avenue, 131 N. Second Street, 261-263 E. Bennett Avenue and 209 E. Bennett Avenue. There was no public comment. Motion by Zoellner second by Wahrer to approve the recommendations from the Historic Preservation Commission of funding the \$35,591.50 on the three approved grants and motion carried.

At 5:59 Motion by Wahrer and second by Zoellner to hold a conference with the City’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) the specific topic being water rights litigation.

Council reconvened at 7:04 with no further action being taken.

Meeting adjourned at 7:05 P.M.

APPROVED:

ATTESTED:

Bruce Brown, Mayor

Debra Blevins City Clerk