

June 4, 2014

5:30 PM

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

Minutes of the May 21, 2014 meeting were approved as written

**PUBLIC COMMENT:**

Jerry Bergerman presented the Mayor a letter of appreciation, for the assistance with the stained glass windows at the Saint Peters Church over the last few years. Thank you to Kathy Stockton and Jeff Kurka also for all they have done to help us. To date the project has cost \$232,000 with the City of Cripple Creek contributing \$138,000; the Parish \$60,000 and the parishioners \$34,000. We hope to have automatic lighting in place soon so everyone driving by will see how beautiful the windows are.

**CITY ADMINISTRATOR REPORT:**

City Administrator White stated longtime resident Mona Huffman passed away this week; there will be a service this Friday at the Cripple Creek Elk's Lodge at 11:00 A.M. The ground breaking for Bennett Avenue will be held in the 200 block at 1:00 P.M. We will be getting started with the events for the summer next week-end with the Rodeo. The Butte has started their season with "My Home Colorado". Donkey Derby Days will be June 27, 28 and 29, the Wild west Art Show is also that week-end. Due to Council attending the Colorado Municipal League Conference the June 18<sup>th</sup> meeting has been canceled; the next meeting will be July 2<sup>nd</sup>.

**FINANCE DIRECTOR REPORT:**

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

**PUBLIC HEARING FOR A NEW RETAIL LIQUOR LICENSE AT 207 E CARR AVENUE, DONKEY LIQUORS, APPLICANT MARIAN SPRING:**

Mayor Brown opened the public hearing for the New Retail Liquor License. Debra Blevins, City Clerk stated the application was received April 29, 2014. We have received all reports from CBI and FBI, with no issues being reported. Staff recommends approval at this time. Marian Spring stated she has been in Colorado since 1973, has owned four night clubs in Colorado Springs and is now an employee with the City as a shuttle driver. There was no public comment. Motion by Wahrer to approve the New Retail Liquor License application, second by Hazlett and motion carried.

**DONATION OF LAND TO THE CITY BY ELIZABETH CLINE/SHANKS CONSISTING OF TWO LOTS (LOTS 908 AND 910, TRANQUIL ACRES ADDITION NO 2, COUNTY OF TELLER, STATE OF COLORADO) 157 HONEYSUCKLE ROAD, WOODLAND PARK, COLORADO, IN TRANQUIL ACRES SUBDIVISION:**

Paul Harris Finance Director stated Mrs. Cline – Shanks is 92 years old and is now living in West Virginia. She has fond memories of Cripple Creek and would like to donate the two lots to the City. The lots are raw land and there are about three other homes on this street. The Title Insurance will cost \$553.00 and the taxes are around \$500.00 per year. There was no public comment. Motion by Ashworth to accept the donation of the two lots, second by Wahrer and motion carried.

**PLANNING COMMISSION BUSINESS- REQUEST FOR REZONING TWO PARCELS OF LAND WITHIN THE CITY FROM BB NEIGHBORHOOD MIXED ZONE DISTRICT TO C-1 INDUSTRIAL ZONE DISTRICT; APPLICANT THE CITY OF CRIPPLE CREEK:**

Historic Preservation & Planning Coordinator Kathy Stockton stated the applicant requests approval of the rezoning of the two parcels of land as described in Attachment A currently zoned BB Neighborhood Mixed Use Zone District to C-1 Industrial Zone District. There was no public comment. Motion by Mayor Brown to approve the changes for the described properties, second by Hazlett and motion carried.

**PLANNING COMMISSION BUSINESS – REQUEST FOR TWO AMENDMENTS TO THE TEXT OF THE CITY OF CRIPPLE CREEK DEVELOPMENT CODE; APPLICANT THE CITY OF CRIPPLE CREEK:**

Historic Preservation & Planning Coordinator Kathy Stockton stated applicant request approval of two amendments to the Cripple Creek Development Code text as follows: 1) Within the BB Zone , projects less than 3500 square feet do not require historic façade review. 2) Section 1.3.3 Table 1-2 entitled Allowed Uses for each District will add “P” (permitted use) for Gambling Halls in the C-1 and C-2 Zone districts within the existing Gaming District Overlay boundaries. There was no public comment. Motion by Hazlett to approve the amendment to the text of the Cripple Creek Development Code, second by Ashworth and motion carried.

**COUNCIL BUSINESS – RECOMMENDATION FROM THE PLANNING COMMISSION - REQUEST FOR REZONING TWO PARCELS OF LAND WITHIN THE BB NEIGHBORHOOD MIXED USE ZONE DISTRICT TO C-1 INDUSTRIAL ZONE DISTRICT; APPLICANT, THE CITY OF CRIPPLE CREEK:**

Historic Preservation & Planning Coordinator Kathy Stockton stated the planning commission has recommended the changes to the two parcels of land. There was no public comment. Motion by Wahrer, second by Mayor Brown and motion carried.

**COUNCIL BUSINESS – RECOMMENDATION FROM THE PLANNING COMMISSION – REQUEST FOR TWO AMENDMENTS TO THE TEXT OF THE CITY OF CRIPPLE CREEK DEVELOPMENT CODE; APPLICANT, THE CITY OF CRIPPLE CREEK:**

Historic Preservation & Planning Coordinator Kathy Stockton stated the Planning Commission recommends approval of the two amendments to the text of the Cripple Creek Development Code. There was no public comment. Motion by Hazlett to approve the two amendments to the text of the Cripple Creek Development Code, second by Ashworth and motion carried.

**1<sup>ST</sup> READING OF ORDINANCE #2014-05 – A BILL FOR AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CRIPPLE CREEK FOR THE AREAS DESCRIBED HEREIN FROM BB ZONE DISTRICT TO C-1 ZONE DISTRICT:**

Mayor Brown read title only of Ordinance #2014-05. There was no public comment. Motion by Mayor Brown to approve 1<sup>st</sup> reading of Ordinance #2014-05, second by Wahrer and motion carried.

**1<sup>ST</sup> READING OF ORDINANCE #2014-04 – A BILL FOR AN ORDINANCE AMENDING THE TEXT OF THE CITY OF CRIPPLE CREEK DEVELOPMENT CODE RELATING TO HISTORIC FACADE REVIEWS IN THE BB ZONE DISTRICT AND PERMITTED USES IN THE GAMING DISTRICT FOR THE C-1 ZONES:**

Mayor Brown read title only of Ordinance #2014-04. Attorney Phillips read the following into the record “The characteristics are applicable to the front façade and the first 6 feet of the side facades ONLY in the BB Zone provided, however, that projects of less than 3500 square feet do not require historic facades review. The balance of the building must only be compatible in color.” The second change is to add “Gaming Halls in the Gaming District “P.” There was no public comment. Motion by Ashworth to approve 1<sup>st</sup> reading of Ordinance #2014-04, second by Mayor Brown and motion carried.

**REVIEW/APPROVAL OF LEASE DOCUMENTS FOR WILDLAND FIRE VEHICLE AND DUMP/PLOW TRUCK WITH SUNTRUST LEASING CORPORATION:**

Finance Director Paul Harris stated this purchase was approved in the budget process and now we need approval of the lease and for the mayor to sign the documents. Jerry Englehart asked why the City is leasing and not purchasing. Attorney Phillips stated the law does not allow a municipality to have a car loan so we do a lease-purchase agreement and the vehicles will belong to the City at the end of the lease. Mr. Englehart asked if it would be better to save the funds and then just purchase the vehicles at one time. Finance Director Harris stated no it is not a good idea for the City to deplete our funds and not have funding available if other projects were to appear.

Motion by Hazlett to approve the lease documents for the WildLand Fire vehicle and the Dump/Plow Truck, second by Ashworth and the motion carried.

Meeting adjourned at 6:10 p.m.

APPROVED:

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Bruce Brown, Mayor

ATTESTED:

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Debra Blevins, City Clerk