

April 4, 2007

5:30 PM

Mayor Libby called the regular meeting of the City Council to order. Present were Council Peck, Petty, DiCamillo, Woods, Interim Administrator Ross, City Clerk Blevins, and Attorney Phillips.

Minutes of the March 21, 2007 meeting were approved as written.

CITY ADMINISTRATOR REPORT:

Interim Administrator Ross read an e-mail he had sent to the Town of Holly administrator sending our condolences for the tornado damage they had received last Wednesday. Ross stated he would keep Council informed if Holly requests any assistance from the City at a later date. Ross introduced Heritage Center Director Kerr who introduced to the Council Melissa Epler and Lynn Henderson as the new Heritage Center Program Coordinators. Epler and Henderson informed the Council they have been out in the City meeting people and checking things out.

FINANCE DIRECTORS REPORT:

Finance Director Harris stated he had on transfer request from the Events Department to transfer \$1100 from 6990.028 and \$700 from 6990.026 to 6900.018 to purchase new furniture. There was no Public comment. Motion by Petty to approve the transfer request Second by Woods and motion carried.

PLANNING & HISTORIC PRESERVATION REPORT:

Historic Preservation Director Manning stated the Residential Grants should be coming before Council on the April 18 meeting. Work has started on the Victorian Lady. Starting to get bids for the Star Building construction. AGG project is moving along, office building at Carr & C slight delay. The window should be in for the Old County Jail by next week. In the past the City has done elevator inspections. At this time we are unable to continue to do this and would ask all in town who have elevators and need inspections to contact someone to do these for them until the City is able to do the inspections again.

PRESENT AWARD FIREFIGHTER AND POLICE OFFICER OF THE YEAR:

Archie Clemens of the Cripple Creek BPOE #316 presented Ryan Holzwarth with a plaque for Police Officer of the year for 2006 and John Rhinebolt with a plaque for Firefighter of the year.

PLANNING COMMISSION BUSINESS REQUEST FOR A CONDITIONAL USE PERMIT IN THE BB&H ZONE TO ALLOW A SINGLE-FAMILY RESIDENCE AT 237 W MASONIC AVENUE (LOTS 21 & 22, CR CK FRE PL ADD) WHICH WILL BE USED AS BOTH A PART-TIME RESIDENCE AND A MODEL HOME/SALES OFFICE FOR A SMALL, LOW-VOLUME HOME BUSINESS:

Planning Director Manning stated this request had come before Council in 2005 and was approved at that time. This approval has since expired. This request is very similar except an office is planned in the home, which appears to qualify as a home occupation. Manning noted there is also a garage to be placed on the site planned at a 10 foot rear yard setback, where a 20 foot setback is required. Therefore there is an incidental request for Use of the Rear Yard Setback. The rear yard setback is the only required setback in the BB-H Zone. The proposed site plan shows setbacks as follows: 1) Front Yard: 20 feet proposed 2) Side Yard on B Street: 14 feet proposed 3) Side Yard East: 8 feet 4) Rear Yard Alley: 10 feet. Staff recommends approval of the request for Conditional Use with the condition that the office use meet the requirements for a home occupation. Staff Recommends approval of the request for Use of Rear Yard Setback. There was no public comment. Motion by Woods to approve the Conditional Use Permit and use of Rear Yard Setback with the condition that the driveway be paved Second by Petty and motion carried.

DISCUSSION AGG REQUEST FOR COST RECOVERY AGREEMENT:

Attorney Phillips explained AGG would like to have an agreement for cost recovery for infrastructure they are required to do in order to build the casino they are building. After much discussion Council instructed Attorney Phillips to put together information on what properties this would impact and bring back to the Council for future discussion. There were comments from Ray Drake and Bill Grimstad opposing granting of this request.

PLANNING COMMISSION BUSINESS REQUEST FOR REZONING AT 406 E GOLDEN AVENUE (LOTS 3 THROUGH 8, BLOCK 42, HAYDEN PLACER

ADDITION) FROM R-1 TO BB&H:

This item was tabled until the April 18th agenda.

RECOMMENDATION FROM HISTORIC PRESERVATION COMMISSION TO APPOINT NEW CHAIRPERSON AND VICE CHAIRPERSON:

Historic Preservation Director Manning stated the current Chairperson Reed Grainger has a 1-year term that expired March 1, 2007 and does not wish to be reappointed. Staff recommends Commissioner Eldon Likkel as Chairperson and Commissioner Bill McPherson as Vice-Chairperson. Manning and the Commission thanked Reed for his many years of service. Motion by Petty to approve Likkel as Chairperson and McPherson as Vice-Chairperson Second by Woods and motion carried.

AWARD OF BID FOR PRIMARY HERITAGE SIGN FOR HERITAGE CENTER:

Heritage Center Director Kerr stated he had received three bids for the sign at the Heritage Center. One bid from Flash Graphics Sign Company is not what we are looking for, the bid from Sign Shop Limited in the amount of \$8,023.72 will be in two pieces and made of plywood and will not hold up well in the wind, the final bid from High Signs & Design in the amount of \$11,192.00 would better serve our needs and would be the best for withstanding the winds at the Heritage Center. There was no public comment. Motion by Peck to award the bid for the primary Heritage Sign for the Heritage Center to High Signs & Designs with the stipulation they do a performance bond and set a completion date. Date to be set by Kerr Second by Petty and motion carried.

AWARD OF CONSTRUCTION CONTRACT FOR THE OUTLAW JAIL MUSEUM BATHROOM BUILDING:

This item was pulled from the agenda.

PUBLIC COMMENT:

Jessica Krummenacher asked about the clean-up days. Mayor Libby stated a preliminary date of May 19th has been set. **Eldon Likkel** stated the zoning ordinances need to be looked at again and was informed staff and Attorney Phillips are already working on this project. **Carl Poch** commented on the condition of Golden Street and stated it should be closed until the new casino is completed.

At 6:35 PM, motion by DiCamillo that the City Council hold an executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. 24-6-402(4)(e) to consider personnel matters, pursuant to C.R.S. 24-6-402(4)(f), Second by Petty and motion carried. Regular session reconvened at 7:45 PM with no further business being conducted.

Meeting adjourned at 7:46 PM

APPROVED:

Ed Libby, Mayor

ATTEST:

Debra Blevins, City Clerk