

June 6, 2007

5:30 PM

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

Minutes of the May 9<sup>th</sup> & 16<sup>th</sup> 2007 meetings were approved as written.

**CITY ADMINISTRATOR REPORT:**

Administrator McPherson thanked the Council for the trust they have placed in him by giving him the opportunity to be the Administrator. McPherson pledged to the Council and the Citizens to do the very, very best he can as the Administrator. McPherson presented the Mayor with a plaque from the Pikes Peak Regional Hospital for City's support of the Hospital. McPherson introduced Diann Pritchard as the new Emergency Communications Director. Pritchard stated she has been with the City for 11 years and looks forward to working as the Communications Director. Pritchard presented Bob Ross with a plaque from the Emergency Communications Department for his year of service with them. Ross thanked the Council and the employees of the City for all their support while he was the Interim Administrator. Mayor Libby thanked Ross for stepping in and helping when he was needed.

**FINANCE DIRECTORS REPORT:**

None.

**PLANNING & HISTORIC PRESERVATION REPORT:**

Development Director Manning stated things are getting settled at the Victorian Lady. The Jail is progressing. The front doors are in and should be hung soon. Art is back at the Cemetery and the summer help has started. Petty stated the Cemetery looks great. The residential grants are going well still a few left to get started. Bill McPherson resigned from the Historic Preservation Commission so we are advertising for members. The City purchased a couple of maps that will either be placed in the Jail Museum or at the Heritage Center.

**2<sup>ND</sup> READING OF ORDINANCE #2007-03 CONCERNING UTILITIES TO ESTABLISH A CROSS CONNECTION CONTROL PROGRAM:**

Mayor Libby read title only of Ordinance #2007-03. There was no public comment. Motion by Petty to approve 2<sup>nd</sup> reading of Ordinance #2007-03 Second by Woods and motion carried.

**2<sup>ND</sup> READING OF ORDINANCE #2007-02 AN ORDINANCE AUTHORIZING RETAIL LIQUOR STORES OR LIQUOR-LICENSED DRUG STORES IN THE CITY OF CRIPPLE CREEK TO CONDUCT ALCOHOLIC BEVERAGE TASTINGS:**

Mayor Libby read title only of Ordinance #2007-02. There was no public comment. Motion by Woods to approve 2<sup>nd</sup> reading of Ordinance #2007-02 Second by DiCamillo and motion carried.

**1<sup>ST</sup> READING OF ORDINANCE # 2007-04 AN ORDINANCE OF THE CITY OF CRIPPLE CREEK, COLORADO ADOPTING BY REFERENCE AND ENACTING A NEW MUNICIPAL CODE FOR THE CITY OF CRIPPLE CREEK PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN PROVIDING A PENALTY FOR THE VIOLATION THEREOF PROVIDING FOR THE MANNER AMENDING SUCH CODE AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE:**

Mayor Libby read title only of Ordinance #2007-04. There was no public comment. Motion by Petty to approve 1<sup>st</sup> reading of Ordinance #2007-04 and ordered published Second by Woods and motion carried.

**2<sup>ND</sup> READING OF ORDINANCE #2007-05 AMENDING SECTION 3.2, 3.3 AND 3.4 OF THE CITY'S ZONING ORDINANCE RELATING TO SIDE SETBACKS AND LOT FRONTAGE OF DUPLEX LOTS:**

Mayor Libby read title only of Ordinance #2007-05. There was no public comment. Motion by Petty to approve 2<sup>nd</sup> reading of Ordinance #2007-05 Second by Peck and motion carried.

**2<sup>ND</sup> READING OF ORDINANCE #2007-09 AMENDING THE CITY OF CRIPPLE CREEK MUNICIPAL CODE BY THE ADDITION OF A NEW SUBSECTION 2-3-(e)-(9) THERETO RELATING TO THE POWERS AND DUTIES OF THE CITY ADMINISTRATOR:**

Mayor Libby read title only of Ordinance #2007-09. There was no public comment. Motion by Woods to approve 2<sup>nd</sup> reading of Ordinance #2007-09 Second by Peck and motion carried.

**PUBLIC HEARING RETAIL TAVERN LIQUOR LICENSE THIN AIR THEATRE COMPANY:**

A public hearing was held for a Retail Tavern Liquor License Thin Air Theatre. Clerk Blevins stated the fees have been paid and paperwork is in order. There was public comment from Chris Hazlett, Steven Mackin and Bonnie Mackin. The hearing was continued to a later date.

**REQUEST FOR WAIVER OF BUILDING PERMIT FEE FOR BATHROOM CONSTRUCTION IN THE COLORADO TRADE & TRANSFER COMPANY BUILDING CRIPPLE CREEK DISTRICT MUSEUM:**

Development Director Manning stated the Cripple Creek District Museum is requesting the Council waive the Building permit fees for the bathroom construction in the Trade & Transfer Company Building. There was no public comment. Motion by DiCamillo to grant the waiver of the Building permit fees for the bathroom construction in the Colorado Trade & Transfer Company Building Second by Peck and motion carried.

**1<sup>ST</sup> AND FINAL READING OF ORDINANCE #2007-11 FOR ZONING FROM THE "A" ZONE IN TELLER COUNTY TO THE CATEGORY OF "B" BUSINESS ZONE IN THE CITY OF CRIPPLE CREEK FOR THE CITY MEDICAL CENTER SITE 1101 TELLER COUNTY ROAD #1:**

Mayor Libby read title only of Ordinance #2007-11. There was no public comment. Motion by Petty to approve 1<sup>st</sup> and final reading of Ordinance #2007-11 Second by Peck and motion carried.

**PLANNING COMMISSION BUSINESS FOR SUBDIVISION EXEMPTION APPROVAL FOR THE CITY MEDICAL CENTER SITE 1101 TELLER COUNTY ROAD #1:**

Development Director Manning stated the site is actually partially in the City with a relatively small portion in the County. The site will be platted into 1 lot. There was no public comment. Motion by Peck to approve the subdivision exemption approval Second by Woods and motion carried.

**PLANNING COMMISSION BUSINESS REQUEST FOR A CONDITIONAL USE PERMIT IN THE R-1 ZONE TO ALLOW A RETAIL STORE AND RESTAURANT IN THE HISTORIC BLUE FRONT GROCERY STRUCTURE AT 406 E GOLDEN AVENUE (L3-8, B42, HAYDEN PLACER ADDITION):**

This item was tabled per staff until a later date.

**PUBLIC HEARING RETAIL TAVERN LIQUOR LICENSE VIRGIN MULE INC:**

A Public Hearing was held for a Retail Tavern Liquor License for the Virgin Mule Inc. Clerk Blevins stated fees have been paid and paperwork is in order. There was no public comment. Motion by Petty to approve Retail Tavern Liquor License for the Virgin Mule Inc Second by Woods and motion carried.

**REQUEST FOR APPROVAL OF A WATERSHED PERMIT AND ACCESS:**

After much discussion this item was tabled until a later date.

**APPROVAL OF WATER LEASE:**

Attorney Phillips stated this agreement between the City of Cripple Creek and Steven R King and Four Mile Valley Properties, LLC. There was no public comment. Motion by Petty to approve the water lease Second by Peck and motion carried.

**AWARD CONTRACT FOR UNDERGROUND WATER PUMP FOR THE HERITAGE CENTER:**

This item was tabled until the June 20<sup>th</sup> agenda.

**BUSINESS LICENSE:**

The following business licenses were presented to Council for their review, All Automotive Clinic of Cripple Creek/Jason Holmes: Red Door Vacation Rentals/Kelly Foster and Kim West. Clerk Blevins stated paperwork is in order and fees have been paid. Keith Boyd stated he is happy to see a garage come to the City. Motion by Woods to approve the business licenses Second by Peck and motion carried.

**PUBLIC COMMENT:**

**Chris Hazlett** stated a year ago he had asked Council for an agreement to use the sidewalk in front of his business and the Council had agreed. What is the next step? Hazlett was told to see Development Director Manning. **Cathy Hern** stated she was at the May 19<sup>th</sup> Council meeting and did not understand why the Emergency Ordinance included a restaurant this property has never been a restaurant. **Betty Tritz** stated she is against the Blue Front becoming a restaurant. They are on the same sewer line and this would affect her service. Mayor Libby instructed Public Works Director Huffman to check into this matter.

At 6:55 PM, motion by Peck that the City Council hold an executive session to consider personnel matters, pursuant to C.R.S. 24-6-402(4)(f), Second by DiCamillo and motion carried. Regular session reconvened at 6:56 PM due to lack of ability to record executive session.

Meeting adjourned at 6:57 PM

APPROVED:

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Ed Libby, Mayor

ATTEST:

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Debra Blevins, City Clerk