

September 5, 2007

5:32 PM

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

Minutes of the August 15, 2007 meeting were approved as written, with Petty abstaining.

CITY ADMINISTRATOR REPORT:

Administrator McPherson reminded the audience to please sign the public comment sign in sheet if they wish to speak at public comment. Mayor Libby will call them in order of the sign in. The camera belonging to KOAA 5/30 on the Courthouse has been reinstalled and has a great view of Bennett Avenue. The City shuttle is back in full operation after the lightning strike a few weeks ago that knocked out the transmitter. We now have a backup transmitter should we have this problem again. Cripple Creek and Reno NV are the only two cities that provide door-to-door service. McPherson reminded everyone the November 6, 2007 election will be a mail ballot election. The ballots should be mailed sometime around October 12th and need to be returned to the County Clerk before 7:00 P.M. November 6th. The candidates for the election are Mayor: Dan Baader and Edward Libby, Ward 4 Council: Bruce Brown and Dennis Peck, Ward 5 Council: Carl Poch and Gary Ledford. The codification of the City ordinances has been completed, we hope to have the codification available on line in the next two weeks. McPherson introduced Events Coordinator Jan Hamilton who thanked all those involved with putting together the Armed Forces Event that was held August 18-19. Thank you to all City employees for working together to make this the best event ever. A plaque was presented to Patty Waddle for volunteering and doing a great job with the children's games at the Park. Tony and Mari Smith were also presented a plaque for putting together the children's float at the last minute and being there first thing Saturday to help get everything set-up and Sunday for helping tear down and put things away.

FINANCE DIRECTORS REPORT:

None.

PLANNING & HISTORIC PRESERVATION REPORT:

Development Director Manning stated the project at Carr & C Street has a CO for the upper level of the building and gaming is in the process of moving into the facility. The foundation for the restrooms at the Outlaw and Jail Museum should be started tomorrow. Richard Thomas will be getting his certification to do inspections ASAP and will be getting his elevator certification next year. Several departments are in the process of switching office locations. The street signs at the Cemetery should be in place soon. AGG is close to getting their permit to reconstruct Highway 67 at this time there is one lane open for traffic.

2ND READING OF ORDINANCE #2007-15 SUBMITTING A BALLOT QUESTION TO THE CITY'S ELECTORS AT THE NOVEMBER 6, 2007 REGULAR ELECTION:

Mayor Libby read title only of Ordinance #2007-15. There was no public comment. Motion by Peck to approve 2nd reading of Ordinance #2007-15 Second by Petty and motion carried.

REQUEST TO CONSTRUCT A MOUNTAIN BIKE TRAIL:

This item was tabled until the September 19, 2007 agenda.

REQUEST FOR APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CRIPPLE CREEK AND TELLER COUNTY FOR THE NOVEMBER 6, 2007 COORDINATED ELECTION:

Clerk Blevins stated the estimated cost to participate in the mail ballot election would be \$1,704.00. There was no public comment. Motion by Petty to approve the IGA between the City of Cripple Creek and Teller County for the November 6, 2007 Coordinated Election Second by Peck and motion carried.

1ST READING OF ORDINANCE #2007-13 REGARDING FINANCIAL REQUIREMENTS AS A CONDITION OF RECEIVING A BUILDING PERMIT:

Mayor Libby read title only of Ordinance #2007-13. Development Director Manning stated this Ordinance would allow staff to determine if a building permit should come before Council. Cathy Hern asked if the requirements could be read. Mayor Libby read the following requirements:

- (1) That the financial capabilities and resources of the owner and/or developer are adequate to complete the project;
- (2) That there exists a past performance of the owner and/or developer in completing projects within the boundaries of the City of Cripple Creek;
- (3) That construction financing is in place or committed to for the project by a reputable and financially sound construction lender;

- (4) That a performance bond or other security has been posted by the general contractor for completion of the project; and
- (5) Any other factors relevant, in the opinion of the City, to the need for the security required by this Section.

Motion by Peck to approve 1st reading of Ordinance #2007-13 and ordered published Second by Woods and motion carried.

PLANNING COMMISSION BUSINESS REQUEST FOR 2 TAILBLAZER SIGNS FOR THE DOLL HOUSE B&B, 222 GALENA STREET, WILLIAM AGNEW APPLICANT:

Development Director Manning stated the applicant request approval of locating 2 Trailblazer Signs, one is at Highway 67 and Carbonate to direct traffic north and the other is at Carbonate and Galena to direct traffic west. Staff recommends approval of the request with the following condition: the sign at Highway 67 and Carbonate be subject to staff determination as to when it should be placed. This is because of the construction in the area for the AGG casino and the required highway improvements that will have the area under construction for about 2 months. There was no public comment. Motion by woods to approve the request for 2 Trailblazer signs for the Doll House Second by Petty and motion carried.

APPROVAL OF CONTRACT TO PURCHASE A LULL 10,000 LB LIFT FROM RSC EQUIPMENT RENTAL:

Development Director Manning stated the City has been leasing a LULL 10,000 LB lift, new in 2000, for work at the Heritage Center. During this project the lift has been taken off the project for several purposes that facilitated other City needs. Several Departments have shown interest in purchasing the lift. RSC is willing to sell the lift to the City for the price of \$42,000, which includes waiving the last month's rental. There was no public comment. Motion by Peck to approve the purchase of the LULL 10,000 LB Lift with approval form Finance Director Harris and Attorney Phillips approval of the contract Second by Petty and motion carried.

RESOLUTION #2007-09 SUPPORTING THE CRIPPLE CREEK-VICTOR SCHOOL DISTRICT BOND ISSUE BALLOT QUESTION AND URGING ALL CITIZENS OF THE CITY OF CRIPPLE CREEK TO VOTE INFAVOR THEREOF:

Mayor Libby read Resolution #2007-09 in its entirety. Gary Hamilton stated he is glad and happy the Council supports this issue, thank you. Motion by Woods to approve Resolution #2007-09 Second by Petty and motion carried.

REQUEST FOR APPROVAL OF A POLICY FOR HISTORIC PRESERVATION COMMISSIONER'S PARTICIPATION IN PROJECTS FUNDED THROUGH THE COMMISSION AS CONTRACTORS:

Development Director Manning stated The Commission considered how to handle the relationship between seated Commissioners and funded projects. Specifically whether a Commissioner should be a contractor performing work on a project reviewed by and funded by the City through the Commission. Staff presented the following alternatives to the commission: 1) Commissioner could only be allowed to submit bids prior to consideration. 2) Commissioners could only be allowed to submit bids prior to consideration when there are 2 to 3 competitive bids submitted at the same time. 3) Commissioners, that anticipate being involved in a project, could not be a part of the decision to fund the project. 4) Commissioners could be required not to be involved in a project. After some discussion Manning was given direction to pursue number 1-3.

PUBLIC COMMENT:

Events Coordinator Jan Hamilton did an 11-minute presentation of video and still shots of the Armed Forces Event. **Heather Hildebrand** with the always Believe in Children Drive stated they will be having a fall festival art show September 15 from 1P.M. till 5P.M. at the Trade & Transfer Building.

At 6:27 PM, motion by Peck 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 6:59 PM with no other business being conducted.

Meeting adjourned at 7:00 PM

APPROVED:

ATTEST:

Ed Libby, Mayor

Debra Blevins, City Clerk