



**WEDNESDAY, FEBRUARY 19, 2020
CITY COUNCIL REGULAR MEETING MINUTES**

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, HR / Risk Management Director Carol Stotts, HR / Risk Management Technician Heather Hildebrand, Planning & Community Development Director Bill Gray, Historic Preservation Coordinator/Planning Technician Renee Mueller, Public Works Director Steve DiCamillo, Police Chief Mike Rulo, Sgt. Charles Bright, Transportation Director Ted Schweitzer, and Transit Supervisor Mary Wagner.
4. **APPROVAL OF MINUTES**
 - A. January 22, 2020 Special Meeting
 - B. February 5, 2020 Regular Meeting

MOTION by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approved the minutes of January 22 and February 5, 2020 meetings as written. Motion carried unanimously.
5. **PUBLIC COMMENT**

Julia Freeman, 337 E Bennett (Horsemane Beauty & Barber Boutique), spoke regarding parking issues on Bennett in the 300-400 Block. Freeman felt the 15-minute limitation was not enough time to accomplish anything, let alone a haircut or color. She proposed a 2-hour limit and parking for customers only and no parking for business employees or owners. Mayor Ashworth stated Council generally agreed and would reach out to Police and Public Works.

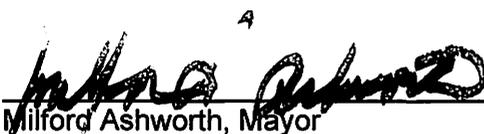
Joyce Smith, 310 Whiting, voiced similar parking concerns stating she was a Horsemane customer and needed at least 1 hour for a cut and style and 2 hours for color. Smith expressed that she supported Horsemane and wanted to see them stay.

Dan Williams, 3275 CR 61, introduced himself and stated he was running for the office of Commissioner. Williams provided a brief background on himself stating he has lived in Teller County since 1972 and then advised he was attending to learn and be part of the process.
6. **REPORTS**
 - A. City Administrator – Mayor Ashworth noted the written report in the packet.
 - B. Finance Director – Finance Director Harris stated there were no expenditure requests or budget transfers.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS**
 - A. Water and Wastewater Department Update; Mickey Groves, Plant Operations Director. Groves provided a brief update stating his Department is responsible for operation and maintenance of Water and Wastewater plants with 3 fulltime staff and 1 part-time summer intern. The Department operates 365 days a year. In 2019, 97 million gallons of water was processed with a similar amount at wastewater. Approximately 175 samples are taken each year from the distribution system. Groves advised that Drinking Water Week falls May 3-9 in 2020 and provides a unique opportunity for water professionals and communities to recognize the role water plays in our lives. He will be holding an open house with tours and requested the Council adopt a proclamation at the same time. Groves also report the City Hydraulic Deregulation application was successful allowing a change in the design flow from 1 Million gallons a day to .95 million gallons a day reducing the discharge monitoring requirement when the permit is issued. The City is operating under an Administrative Extension on the current discharge permit through 2023. He added Staff is currently working on a variable frequency drive for the return pumps which will reduce energy use. Groves thanked the Council for their support and opportunity to talk about his Department. HR / Risk Management Director Stotts publicly recognized Groves and his Staff as being recognized by the Colorado Rural Water Association for their efforts at the plant. Groves stated that he previously shared the associated article from last year and Ashworth commended Groves for setting his efforts so high.
8. **NEW BUSINESS**
 - A. Consider approval of Employee Separation Agreement between City of Cripple Creek and Mark Campbell; Erin Smith, City Attorney. Smith reported that Mark Campbell tendered his resignation and a signed copy of the agreement. The agreement is standard terms with a broad waiver and release to the City and the City is authorizing a 6-month severance lump sum payment. Smith recommended the Council approve the agreement. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve the Employee Separation Agreement as presented. Motion carried unanimously. Campbell, who was in attendance, stated it had been his pleasure to serve the citizens of Cripple Creek.
 - B. Consider approval of Resolution 2020-02 appointing Planning & Community Development Director Bill Gray as the City of Cripple Creek Designated Representative for Pikes Peak Area Council of

Governments; Bill Gray, Planning & Community Development Director. Gray provided a brief summary and stated the resolution had been reviewed by legal counsel. He recommended approval. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-02 appointing Planning & Community Development Director Bill Gray as the City of Cripple Creek Designated Representative for Pikes Peak Area Council of Governments as presented. Motion carried unanimously.

- C. Consider approval of Resolution 2020-03 ratifying the City Council February 5, 2020 approval of a Front Setback Variance to allow a Zero (0') foot setback for property described as Lot 26, Block 33, Hayden Placer and located in an R-2 – Limited Residential Zone; Bill Gray, Planning & Community Development Director. Gray presented stating this would finalize the approval of the variance approved following the findings made at the February 5 public hearing. Gray recommended approval stating the resolution had been reviewed by legal counsel. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-03 ratifying the City Council February 5, 2020 approval of a Front Setback Variance to allow a Zero (0') foot setback for property described as Lot 26, Block 33, Hayden Placer and located in an R-2 – Limited Residential Zone as presented. Motion carried unanimously.
- D. Consider approval of Grant Agreement with the State of Colorado Department of Transportation for Design of a Transit Maintenance Facility; Ted Schweitzer, Director of Transportation. Schweitzer presented stating he was seeking approval of the grant which was funded by SB 267 money for design of a transit facility for bus and rail. The total grant is \$150,000 with the City match being \$30,000. \$15,000 will come out of the 2020 budget and the remaining \$15,000 from the 2021 budget. Schweitzer added this grant dovetails into another grant that will be presented next month. He briefly reviewed the Statement of Work and Budget on p. 19 for the Council's information. Councilwoman Trenary asked where the proposed site was and Schweitzer replied he is working with Casino owners and looking at a possible location at Warren and Hwy 67. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve the Grant Agreement with the State of Colorado Department of Transportation for Design of a Transit Maintenance Facility as presented. Motion carried unanimously.
- E. Consider acceptance or denial of Bennett Avenue Water Main Replacement Bid from Native Sun Construction, Inc.; Steve DiCamillo, Public Works Director. DiCamillo presented stating there have been several line breaks on Bennett Avenue. He stated only 1 bid in the amount of \$1,120,839.14 was received from Native Sun Construction, Inc. While the bid was \$120,000 over, DiCamillo felt this amount could be found if needed and he felt prices would only go up in the future. DiCamillo stated he contacted 7 references and was told Native Sun was underbidding everyone or that those that have worked with them had no problems, they were fantastic to work with, companies would work with them again, companies were very satisfied, the contractor was hardworking, or they get the job done. He spent 1.5 hours with the contractor yesterday going over projects they have done and he and the Engineer who attended the meeting were both comfortable with Native Sun and recommended moving forward. Mayor Ashworth inquired what the project start date is. DiCamillo replied April 1. Ashworth also inquired about the completion date and DiCamillo replied it is 60 days per the contract. However, paving might not be done by Memorial Day because weather will be a big factor. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Ashworth to accept the Bennett Avenue Water Main Replacement Bid from Native Sun Construction, Inc. as presented. Motion carried unanimously. Mayor Ashworth inquired about additional funding from DOLA and DiCamillo stated the City was awarded \$500,000 with a 50% match. Ashworth also inquired about a possible CDOT Grant and DiCamillo replied a request had been made in the amount of \$500,000 and was still in process.
- F. Discussion of and direction to Staff regarding process for filling Chief of Police position; Carol Stotts, HR / Risk Management Director. Stotts introduced the discussion. She stated Chief Rulo was in attendance and had worked on and developed a succession plan he is confident with. Mayor Pro Tem Litherland stated that he personally would like to see someone appointed who was brought up from within the ranks and knows the community. Councilwoman Trenary agreed and felt it also best to promote from within ranks. Councilwoman Rozell inquired of Rulo on the succession plan. Rulo stated he had traveled this path before in Woodland Park where he recommended Bob Larson and he feels he is in a similar position in Cripple Creek and was recommending appointment of Sgt. Charles "Bud" Bright. Rulo stated he came to first know Bright while working with him during the Jacob Ind murder in Woodland Park. Bright served with the Teller County Sheriff's Department for 23 years. Rulo emphasized that it is critical to have someone professional and that is able to interact with other EMS offices and who is familiar with incident command. Bud participated in the Response Team during the High Chateau Fire. He felt the Chief also needed to be honorable and well-qualified. Rulo stated Bright is a straight shooter and he and his wife own a home in Cripple Creek, their son works at mine and their daughter works in a Casino. He also has critical support of his fellow law enforcement. Rulo recommended appointment of Bud Bright. Stotts reported that Dispatch Supervisor Pritchard also recommended his appointment. City Clerk Sciacca echoed support noting she had worked with Bright since the early 90's in different capacities. City Attorney Smith advised Council direction to Staff was appropriate and following additional discussion on Council's options for filling the vacancy, the Mayor and Councilmembers general consensus was to move forward with the appointment as recommended by Rulo.
9. **ADJOURNMENT.** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:17 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk