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## CITY COUNCIL MINUTES

**WEDNESDAY, APRIL 15, 2020  
5:30 PM – REGULAR MEETING**

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

Work Sessions were conducted online via Zoom prior to the Regular Meeting. These Work Sessions were regarding proposed November Ballot Measure #257 for a statewide and local vote regarding changing the gaming limits and adding additional games and the City of Cripple Creek 2020 Marketing Plan Presentation. No action was taken nor formal business conducted during the Zoom Work Sessions.

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order approximately 5:40 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 (online), Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca (online), City Attorney Erin Smith, Finance Director Paul Harris (online), Police Chief Charles Bright (online), Dispatch Supervisor Diann Pritchard (online), Transportation Director Ted Schweitzer (online), Marketing & Events Director Jeff Mosher and Planning & Community Development Director Bill Gray.
4. **APPROVAL OF MINUTES**
  - A. March 18, 2020 Regular Meeting
  - B. March 24, 2020 Special Meeting
  - C. April 1, 2020 Regular Meeting

**MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve the minutes of the March 18, March 24 and April 1 meetings as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – Mayor Ashworth recognized and thanked first responders and everyone involved on the front lines of the COVID-19 response.
6. **REPORTS**
  - A. **City Administrator / Finance Director** – Harris provided an update on the CENSUS stating there was a 50% statewide average response but Cripple Creek was only at 5%. He encouraged everyone to fill it out stressing the response affects funding for the City. He also reported the Community Trash days for May was being cancelled and the City hoped to do one in the fall. Harris noted the City's online Water & Sewer bill pay was back up with no transaction fees and he encouraged citizens to use the system for convenience and safety. He thanked Melissa Beaty, Janell Sciacca and Heather Hildebrand of the City's Staff and AccuFund contractor Becky Wittmer for working on the project. Finally, Harris thanked Newmont Mining Company whose global parent company was making \$20 million of COVID-19 related funding available in communities where they operate.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS** – None.
8. **PUBLIC HEARING(S)**
  - A. **Consider approval of application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4<sup>th</sup> Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights); Bill Gray, Planning & Community Development Director.** Mayor Ashworth opened the Public Hearing and City Attorney Smith reviewed the procedural steps that would be followed noting they were distributed to the Council and the applicant. There were no questions regarding the procedure of the process. Planning & Community Development Director Gray then distributed to Council a packet of several pages that the applicant had provided to Staff which is incorporated as part of the minutes. Gray proceeded to provide an overview of the subject request. At approximately 6:04 PM, Marketing and Events Director Mosher, who was monitoring the meeting remotely, interrupted the presentation and reported the A/V equipment was not picking up Director Gray's voice and that his presentation was only partially audible to those attending the meeting remotely. Accordingly, Director Gray made some adjustments in order to be heard by those attending the meeting remotely online via Webex and continued his presentation. At approximately 6:10 PM, Mosher again interrupted the presentation to report that he and presumably others from the public had been kicked out of the remote meeting due to broadband issues. Councilwoman Rozell asked for a point of clarification on public process at this time and City Attorney Smith advised Council that she was concerned State law requirement was not being satisfied. She recommended the hearing be suspended and continued to a date and time certain. She also advised that due to technological concerns the assumption had to be made that the

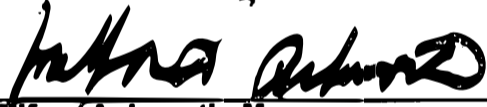
public was unable to hear the discussion of the new hearing time and therefore notice by publication and notice by mail would have to be redone. Following discussion regarding required and proper public notification, Gray stated May 13 would be the soonest the hearing could be held. The applicant agreed to a continuation of the hearing and thanked Staff and the Council for their effort in trying to hold the hearing. Upon a finding by Council that the hearing could not proceed due to technological problems making the meeting inaudible to the public present online the Council agreed to continue the hearing to their Regular Meeting on May 20, 2020. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to continue the Public Hearing on the application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4<sup>th</sup> Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights) to May 20, 2020 at 5:30 PM. Motion carried unanimously.

**9. NEW BUSINESS**

A. Consider approval of Resolution 2020-08 approving a Subaward Grant Agreement with the Colorado Department of Transportation for Project 2020-5304 Cripple Creek Vintage Trolley Project; Ted Schweitzer, Transportation Director. Schweitzer presented an overview of the grant and project. He directed Council to page 20 of the contract (Statement of Work) and to the Project End Date line and pointed out the date is September 30, 2022. He called this out in light of current funding stating he was wanting to get the project in the pipeline to move it along. Schweitzer requested approval of the 5304 Cripple Creek Vintage Trolley Project grant which encompasses a feasibility study for a fixed track trolley system to include analysis and identification of capital operating costs, listing of suggested vehicles, track design, layout, traffic and parking considerations, and recommendations for related infrastructure and facilities. The total project cost is \$50,000 with the Federal FTA CDOT portion being \$40,000 and local match of \$10,000. There was no public comment. Litherland inquired if the City had the \$10,000. Finance Director Harris replied this was a budgeted item but was part of reductions made due to revenue losses and Schweitzer shifted the project to 2021. If the City is not able to complete in 2021 there is potential it could be shifted further out. Harris felt there was sufficient flexibility and the City should approve the grant. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution 2020-08 approving a Subaward Grant Agreement with the Colorado Department of Transportation for Project 2020-5304 Cripple Creek Vintage Trolley Project as presented. Motion carried unanimously.

**10. ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the online Webex meeting at 6:20 PM.

APPROVED:

  
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 Milford Ashworth, Mayor

ATTEST:

  
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 Janell Sciacca, City Clerk