**BOARD OF TRUSTEES**

**CITY OF CREEDE, COLORADO – A TOWN**

**November 12, 2019**

REGULAR MEETING

The Board of Trustees of the City of Creede – a Town, County of Mineral, State of Colorado, met in regular session in the Creede Town Hall at the hour of 5:31 p.m. There being present at the call of the roll the following persons:

OFFICIALS PRESENT: Mayor Larson, Trustee Lori Dooley, Trustee Wyle, Trustee Wall, Trustee Freer, Trustee Brink (arrived after roll-call)

Mayor Larson, presiding, declared a quorum present.

Those members of staff also present were as follows:

Louis Fineberg, Manager

Sarah Efthim, City Clerk

Karen Lintott, Attorney

APPROVAL OF AGENDA

City Clerk Efthim-Williamson wanted to add Private Event Application (with alcohol) from Amy McNeil/James Heit with San Juan Sports to the Consent Agenda.

Trustee Freer motioned to approve the agenda. Trustee Dooley second. Vote was unanimous. Mayor Larson declared the motion carried.

PUBLIC COMMENT

Damian Gibbins with the school board gave a statement appreciating BOT.

Anne Pizel gave a comment about her concern with the office phone’s automated answering and how no one picks up.

Jenny Inge spoke about her concern with the flume repair causing flooding in her basement. Discussion ensued including comments from SGM and Town Manager Fineberg.

PRESENTATIONS

No presentations

CONSENT AGENDA

1. June 4, 2019 Board Minutes;
2. July 2. 2019 Board Minutes;
3. August 8, 2019 Board Minutes;
4. Private Event Permit from Tommyknocker Tavern & Kip's Grill for Pond Hockey Tournament January 18 through January 19th 7AM until 8PM. (This is a no alcohol permit.)

Trustee Brink found an error in the June 4th Minutes where she was marked as not present but made a motion on an item. City Clerk Efthim-Williamson said she would add her as being present.

Trustee Wyle pointed out a typo in August 8th minutes that “Mary” needs to be changed to “Mayor”.

Trustee Dooley motioned to approve Consent Agenda, Trustee Freer seconded.

BOARD INFORMATION ITEMS

1. October Check Detail Report;
2. Budget to Actual Report through October 2019;
3. November 2019 Work Session Agenda Items;
4. October Staff Report;

Town Manager Fineberg stated that at the end of October, the city is at 102% expected revenue and 86% expenses in General Fund “which is about where we should be”. He stated he was working on the percentage breakdown for employee wages from Water/Sewer Fund, and that the fund is over budget due to all the deferred maintenance. Trustee Dooley had a question about the agreement with MDS and would like the city to look into it. Town Manager Fineberg briefly went over Work Session agenda items. There was no comment on the staff report.

NEW BUSINESS

1. Review and discussion of the priorities established by the Board in March 2019;

Fineberg mentioned the levee certification has been derailed due to the changing flow volume data received from Willow Creek. SGM Engineer gave a brief explanation on the data.

1. Review and discussion of a Draft Five-Year Capital Improvement Plan;

Fineberg commented about a possible 2% sales tax increase which would go towards Capital Improvement and Water Sewer Fund. Trustee Freer and Trustee Dooley expressed the importance of informing the public why a tax increase is needed. Discussion ensued regarding annexation of sewer extension.

Town Manager Fineberg commented on ordinance enforcement and how his conversation with the Sheriff’s Department was a dead end.

Due to lack of short-term rentals, this priority is on hold until the BOT are ready to move forward.

There has been no response from CDPHE regarding the application for permit modification. Fineberg commented how the city will reapply in August 2020 after finding out whether the sales tax increase passes in April 2020.

A new Town Hall is no longer on the priority list.

Fineberg commented on the streetscape improvement project and how they are looking into applying for CDOT Pedestrian Enhancement Money. But if property pins are in the middle of the sidewalk, they shouldn’t approach CDOT as it could be difficult and time consuming. This led into discussion on ROW in the Capital Improvement Projects.

Fineberg commented on a SCADA System (which would monitor water levels, pump function, etc. on a smartphone). The city could apply for various grants to possibly pay for the entire SCADA system.

Fineberg commented that back-up generators are a state mandate and how we would need one for the pump’s houses and aerators.

EV Charging Station will be added to the Work Session Agenda, with a presentation from Kathleen with the Chamber of Commerce.

Discussion ensued regards the Creede Pedestrian Improvement Project. Town Manager Fineberg commented how he and Public Works Director Scott Johnson discussed applying for a CDOT grant for a walking path from edge of town up to the confluence. Trustee Freer advised to reach out to Headwaters. Jenny Inge comment on how she is working on an arts pathway through her property.

Fineberg went through remaining Capitol Improvement Projects list and advised he would create a brief description of each item to be approved by the BOT so he can send it with grant applications.

1. Review and Discussion of new Board priorities;
   1. Discussion of how VC funds are distributed;
   2. Discussion of 3rd Street ROW / Recreation Center Property Boundary Line Resolution;
   3. Off-street parking;

Discussion ensued regarding how VC funds are distributed (1/3 each into Capitol Improvement Fund, Recreation and nonprofits). Trustee Dooley asked to set up a reminder in January of February to set up a meeting between BOT and VC board.

Trustee Dooley advised the city needs to property lines (regarding 3rd St.) and ROW figured out.

1. Review and Discussion of Engineering RFQs for general engineering services and selection of three for in-person interviews;
   1. Element Engineering;
   2. SGM;
   3. Davis Engineering;
   4. RG Engineering;
   5. GMS;

Trustee Brink motioned to pick only two of the engineers for interviews: SGM and Davis Engineering. Trustee Freer seconded. Vote was unanimous. The BOT and engineers agreed on the first meeting in December for the interview process.

1. Discussion regarding the creation of a code enforcement policy to guide staff in the code enforcement process;

Town Manager Fineberg asked if the board wanted to have codes. This led into discussion. Town Manager Fineberg also asked if the BOT would like a formal policy like the ones he included in the packet. Trustee Freer recommended having Planning and Zoning review the policy before being decided by the BOT. Town Manager Fineberg decided it would go before Planning and Zoning in the December meeting and possibly later meetings if a decision couldn’t be made within the first meeting.

1. Discussion regarding the establishment of an agenda policy;

Town Manager Fineberg reviewed the current agenda policy with the board and advised of a couple changes. The board decided it might be better to have anyone asking to be put on the agenda to go to the Town Manager, he will then ask legal, and then the Town Manager will seek approval from at least two BOT member before adding to the agenda. Town Manager will bring back the revised policy to be approved by the BOT at a later date.

OLD BUSINESS

1. Discussion regarding possible sales tax increase vs. possible utility rate increase in CY 2020;

Discussion ensued including how best to spread the information around. Town Manager Fineberg said he would work on the statement.

BOARD REPORTS

Trustee Dooley and Trustee Freer gave a report on LWCR.

EXECUTIVE SESSION

1. § 24-6-402(4)(b), C.R.S. - “Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions” - related to an easement agreement with Kip’s Grill;
2. § 24-6-402(4)(e)(I), C.R.S. – “Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.” – related to reported runoff damage to Mountainview RV Park;

XIII. ADJOURN

There being no further business to come before the Board of Trustees at this time, the meeting was adjourned 8:27PM. The vote was unanimous. Mayor Larson declared the motion carried.

Respectfully submitted:

/Sarah Efthim /

Sarah Efthim City Clerk