

**CITY COUNCIL
CITY OF CREEDE, COLORADO – A TOWN
December 13, 2004**

REGULAR MEETING

The City Council 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 6:37 p.m. There being present at the call of the roll the following persons:

COUNCIL MEMBERS: John Goss, Debbie Wylesky, Henry Brink, Eldon Seime,
Chuck Barnes, Martha Owens, Gene Dooley

Mayor Seime declared a quorum present:

Those members of staff also present were as follows:

Ben Gibbons, City Attorney
Clyde Dooley, City Manager
Pamela Wilson, City Clerk/Treasurer

REVIEW AGENDA

The following changes and additions were made to the agenda: Letter (a) of Old Business was changed from Encroachment Policy, because Council wanted Planning and Zoning to look at it first, to Chamber Donation/Grant to follow up on this issue in last months Chamber report. Trustee Barnes requested that the word “hearing” be inserted behind the word permit in letter (a) of New Business. 2004 Supplemental Budget was added as letter (h) of New Business to avoid a special meeting so close to the holidays, and an Executive Session was requested by Trustee Owens to discuss personnel issues.

APPROVAL OF MINUTES FOR November 9, 22, and 30, 2004

Trustee Goss moved and Trustee Dooley seconded to approve the minutes of November 9th as presented. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Barnes moved and Trustee Wylesky seconded to approve the minutes of November 22nd as presented. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Dooley moved and Trustee Owens seconded to approve the minutes of November 30th as presented. The vote was unanimous. Mayor Seime declared the motion carried.

ACCEPT AND PAY BILLS

Trustee Barnes moved and Trustee Dooley seconded to approve the bills to be paid as submitted on the check detail report for the month of November 2004. The vote was unanimous. Mayor Seime declared the motion carried.

REPORTS AND PRESENTATIONS

CITY MANAGER’S/MAINTENANCE REPORT

City Manager Dooley was available to answer questions concerning his Manager’s Report. In respect to the bulk water agreement the City has with Mineral County, it was suggested that perhaps some of the in-kind work the County does for the City that is not already accounted for can be traded for bulk water in excess of the agreed upon one million gallons per year.

After a discussion about the old snow plow blade, Trustee Dooley moved and Trustee Brink seconded that the acceptance of sealed bids for the blade should be posted and the minimum bid should be one hundred dollars. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Dooley moved and Trustee Barnes seconded to table further discussion or consideration of McLaughlin’s utility ordinance until January. The vote was unanimous. Mayor Seime declared the motion carried.

In the maintenance portion of the Manager’s report, Council decided they were not comfortable paying even one-third of the certification expenses for Mike Kolisch to become a license building inspector. There is no guarantee that Kolisch would become the City’s employee. The position must first be advertised and all the applications would be considered equally based on experience and qualifications.

SHERIFF'S REPORT

This report was reviewed and discussed. Sheriff Leggitt's report reflected 1,024 miles and 510 hours had been patrolled in the City during the month of November. This report also reflected twenty-seven incidents and complaints, three citations and two accidents.

WRITTEN REPORTS

This includes the Chamber and Recreation reports. These reports are to be reviewed at the Council's leisure.

DEANNA PHENIX – SKATE PARK

Deanna Phenix was available to update Council on the status of the skate park and how well the recent fundraiser did. Phenix also discussed with Council the helmet requirements for the users of the skate park. A number of members from the community were available to share their personal and professional opinions about safety equipment and its required use. Phenix mentioned that recreation had expressed pulling its support from the skate park. The director of recreation, Eloise Hooper had spread herself too thin between projects and recreation and personal obligations as well as having a difference of opinion about the safety equipment issue, namely helmets, than Phenix. Great Outdoors Colorado (GOCO) would not look favorably on this for grant purposes and Phenix and others associated with the skate park requested that Council issue an administrative directive to Hooper to continue her support and affiliation with the skate park for grant purposes. Council agreed that Hooper should continue her support for the skate park through recreation and gave the administrative directive to City Manager Dooley to follow up on this matter. Council also agreed that an education of sorts from the medical community and other experienced skateboarders would be in the best interest of the young skateboarders that want to use Creede's skate park.

OLD BUSINESS

CHAMBER ANNUAL DONATION/GRANT

After discussing that this issue was mentioned in last months Chamber Report, Council decided they should take action on this matter for budget purposes. Trustee Barnes moved and Trustee Dooley seconded that the City should continue making equal monthly payments totaling ten thousand dollars to the Chamber of Commerce as a donation/grant for the 2005 calendar year. The vote was unanimous. Mayor Seime declared the motion carried.

LAW ENFORCEMENT AGREEMENT

After reviewing and discussing the Law Enforcement agreement before them Council was ready to accept the agreement and vote on it. Trustee Goss moved and Trustee Brink seconded to accept the Amendment and Extension of the Intergovernmental Agreement for Law Enforcement. The vote was unanimous. Mayor Seime declared the motion carried. This agreement was presented to Council already signed by the Mineral County Commissioners, the Mineral County Sheriff, and attested to by The Mineral County Clerk and Recorder.

NEW BUSINESS

SPECIAL EVENTS PERMIT HEARING – CREEDE ELKS LODGE #506 (PUBLIC HEARING)

No one had signed up to speak at this public hearing either for or against the permit request. After a brief discussion, Trustee Brink moved and Trustee Goss seconded to approve the special events permit. There were five yeas and Trustee Dooley abstained due to his affiliation with the Elks Club. Mayor Seime declared this motion carried.

PARADE PERMIT – PARADE OF LIGHTS

This permit is being requested by the Community Center for the Holiday Parade of Lights scheduled for the evening of December 17, 2004. Trustee Goss moved and Trustee Dooley seconded to approve this parade permit. The vote was unanimous. Mayor Seime declared the motion carried.

LIQUOR LICENSE RENEWAL – TOMMYKNOCKER TAVERN

After a brief discussion and a report on the licensee and establishment from the County Sheriff, questions were asked and answered. Trustee Barnes moved and Trustee Dooley seconded to approve this liquor license renewal. The vote was unanimous. Mayor Seime declared the motion carried.

TRADE NAME CHANGE (DBA) – BEAVER LIQUOR AND SPIRITS

Ramona Depriest –Weber, Owner of Beaver Liquor and Spirits is requesting a trade name change for her liquor store business due to a legal conflict with another business owner elsewhere in the State. Depriest is requesting the name be changed to The Wild Beaver so the store can keep the beaver character logo they are currently using as a mascot. Trustee Brink moved and Trustee Dooley seconded to approve this request. The vote was unanimous. Mayor Seime declared the motion carried.

VIRGINIA CHRISTENSEN TRUST ADVISORY COMMITTEE RECOMMENDATIONS

At a Virginia Christensen Trust Advisory Committee Meeting on December 9, 2004, the advisory committee recommended to City Council that the Creede Sportsman be denied his request this funding round because he is not a 501(C)(3) status non-profit organization. It was also recommended that the applicant associated himself with Recreation or another organization that has 501(C)(3) status and qualifies as a non-profit and reapplies for funds in the spring. The advisory committee added some additional funds to two of the requests that they felt were worthwhile projects that could use additional funds this round since the requests fell well under the amount available to grant. The advisory committee also made the recommendation that full funding plus the additional seventeen hundred be granted to the remaining applicants. There was a discussion about the additional funds and it was agreed that Council felt those funds should be left in the Virginia Christensen account for future funding rounds or City projects. Trustee Brink moved and Trustee Dooley seconded that the City approve full funding to the applicants as requested in their presentations as well as the recommendation of the advisory committee to deny the request of the Creede Sportsman. The approved requests equal fifteen thousand eight hundred sixty-five dollars. The vote was unanimous. Mayor Seime declared the motion carried.

2005 CALENDAR OF REGULAR COUNCIL MEETINGS AND HOLIDAYS

After a brief review, Trustee Dooley moved and Trustee Barnes seconded to approve the second Tuesday of each month at 6:30 p.m. the day and time of the regular council meetings and also approved ten full day holidays and three one-half day holidays for the 2005 calendar year.

2005 BUDGET

The 2005 budget was reviewed and discussed. Council discussed the propane expense and City Manager Dooley was directed by Council to get bids on the propane delivery as well as the expense of setting the tank if necessary. Trustee Barnes moved and Trustee Wylesky seconded to appropriate the 2005 budget as presented. The vote was unanimous. Mayor Seime declared the motion carried.

EXECUTIVE SESSION

PERSONNEL ISSUES INCLUDING JOB DESCRIPTIONS

Trustee Owens moved and Trustee Wylesky seconded to go into executive session to discuss personnel issues including job descriptions. The vote was unanimous. Mayor Seime declared the motion carried and Council entered executive session at 8:49 p.m.

Trustee Owens moved and Trustee Goss seconded to come out of executive session. The vote was unanimous. Mayor Seime declared the motion carried and Council came out of executive session and back into regular session at 9:13 p.m.

Trustee Owens dismissed herself and left the meeting.

Town Board
City of Creede
December 13, 2004
Page 4

2004 SUPPLEMENTAL BUDGET

The 2004 supplemental budget was reviewed and discussed. Trustee Brink moved and Trustee Barnes seconded to approve the 2004 supplemental budget as presented. The vote was unanimous. Mayor Seime declared the motion carried.

ADJOURN

There being no further business to come before the Council at this time, Trustee Brink moved, and Trustee Barnes seconded, to adjourn the meeting at 9:27 p.m. The vote was unanimous. Mayor Seime declared the motion carried.

Respectfully Submitted:

Approved by City Council:

Pamela Wilson, City Clerk/Treasurer

Eldon Seime, Mayor