

**CITY COUNCIL  
CITY OF CREEDE, COLORADO – A TOWN  
February 10, 2003**

**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 7:30 p.m. There being present at the call of the roll the following persons:

COUNCIL MEMBERS: JB Alexander, Gene Dooley, John Goss,  
BJ Myers, Merle Knous,

ABSENT: Chuck Barnes, Jennifer Homsher

Mayor Pro-tem Barnes, presiding, declared a quorum present:

Those members of staff also present were as follows:

Robin Crites, City Attorney

Sandra Wright, City Manager

**APPROVAL OF AGENDA**

Items added to the agenda were: new McLaughlin situation; Senator Campbell visit; update road information on CDOT; removal of electrical poles. City Attorney Robin Crites asked that the item “d” under old business be moved to an executive session because it is discussing contractual information. Agenda approved as amended.

**APPROVAL OF MINUTES FOR January 13 and 17, 2003**

Councilman Knous moved and Councilman Dooley seconded, to approve the minutes of the January 13<sup>th</sup> and 17<sup>th</sup> meetings. Unanimous. Mayor Myers declared the motion carried.

**ACCEPT AND PAY BILLS**

Councilman Alexander moved, and Councilman Dooley seconded, to accept and pay bills. Unanimous. Mayor Myers declared the motion carried.

**REPORTS AND PRESENTATIONS**

**CHAMBER OF COMMERCE REPORT**

There were no questions regarding Chamber Director, Pat Richmond’s report, and she had nothing more to add to the report.

**CITY MANAGER’S REPORT**

Councilman Knous requested that City Manager Wright include the prior year’s revenue figures that are reported for comparison.

**SHERIFF’S REPORT**

Sheriff Leggitt reported 1168 miles and 383 hours patrolled in the City, with 13 incidents and complaints, no citations and 2 accidents.

**MAINTENANCE SUPERVISOR’S REPORT**

There were no additional questions on Maintenance Supervisor Shaun Basham’s report. The Council complimented Basham on his report on the research he has been doing regarding the ice park. Jimmy Collins, owner of Mac’s Old Mine, gave the Council additional information about the Access Fund, saying it is an excellent source for funding of projects of this type. Basham gave the Council members a synopsis of the Access Fund.

Collins went on to say that there is the potential to build an ice park up the canyon that will attract climbers for all over the world. In addition to his interest in ice climbing, as a business owner he feels this project would provide a tremendous tourist attraction for the winter months. The majority of the ice climbers are in the upper income bracket, and typically spend \$30,000 each annually for this sport. Concern was expressed about having adequate lodging available, and it was pointed out that this would be an excellent opportunity for local ranches to winterize their facilities and be open more months each year. Collins said that if local lodging is not available, the climbers will not hesitate to travel to South Fork or further for lodging.

There was a discussion regarding what permission would be needed to divert water out of Willow Creek to make the ice because while the ice would eventually melt and go back into Willow Creek, there will be evaporation involved. This will have to be checked into thoroughly. This is the type of research a committee would be focusing on. Mayor Myers asked Collins if he would be willing to serve on a committee to organize this project, and Collins said yes, and further agreed to chair the committee. Councilman Knous moved, and Councilman Dooley seconded, to form a committee for this project. Unanimous. Mayor Myers declared the motion carried.

Collins said he would like to see three to five people on the committee, with one or two non-climbers. The Council appointed Shaun Basham and Councilman Goss to the committee. There was a discussion about the capital outlay to create the park, setting up a vendors area, and maintenance of the park. These will be issued the committee will address.

#### BUILDING INSPECTOR'S REPORT

Building Inspector Fred Eastland said there was no activity this month.

#### WRITTEN REPORTS

There were no questions or comments regarding the written reports.

#### SENATOR CAMPBELL

Senator Campbell had scheduled a visit to Creede for February 17<sup>th</sup>, but will not be available to make the trip. One of his representatives will hold the meeting instead.

#### EXTENSION IN SOUTH CREEDE

The Council reviewed the costs associated with extending the water mains and adding two fire hydrants for the property that is beginning to be used south of the CDOT building, and the costs of putting in a street on the 40 foot strip of land that runs along the east side of those properties. The sewer line already extends to Eleventh Street, so that will not have to have any extension. The City will upfront the costs, then assess the land owners on each side of the new street to pay the City back over a period of years. There was a discussion about how long of a period the payback should extend, and while no decision was made, ten years seems to be the amount of time everyone agreed upon.

Sandy Kroll, representing Kathy Ellison's property, told the Council that they did not need the street to extend to their property, which is at the far south end of the properties in question. The water and the street would therefore only extend to Bryan Anderson's property. Kroll was advised that if at any point in the future Ellison wants the extension to her property, she will have to pay for costs then. Kroll agreed.

Mark Tiley said he did not feel that the property owners should be charged a tap fee if they were paying for the installation of the water. There was considerable discussion about this, with no conclusion. Ron Heikes, representing CDOT, was interested in how this extension would affect CDOT, and also talked with the Council about how CDOT would like to exchange the fifty foot platted street for fifty feet at the south end of their lots so they would have continuous property. The City map was viewed, and concerns were express as how to maintain access to the Suszanski property which lies west of CDOT next to the flume.

#### CURFEW LAW

Notice of this agenda item requesting input from the public was not widely distributed, and only one person was in attendance for this issue. It was decided to postpone the public input on the curfew law until the March meeting so more notice could be published. It was pointed out that the people at the November Concerned Parents meeting had expressed the need for this curfew law, and that the City had instituted enforcement of the law based on that input.

#### CREEDE MESA GROUP

Representatives from the Creede Mesa Group present copies of the revised contract draft. The Council will take time to review it and it will be on the February 28<sup>th</sup> agenda.

#### UPDATE ON BALLPARK PROPERTY PURCHASE

The City's offer of \$25,000 for the property south of the ballpark was accepted by the bankruptcy court, and is in a 30 day hold before the final papers can be drawn up. Mayor Myers is to check with the School to find out if they are going to contribute \$5,000 towards the purchase.

#### RECREATION CENTER BUILDING

The information regarding the plans for the new recreation center building have not been gathered yet, and this item was postponed to the February 28<sup>th</sup> meeting.

The weight and exercise equipment has arrived and installed at the Community Center as its temporary home. The Committee is requesting \$940 for some miscellaneous equipment needed for the exercise room. Councilman Alexander moved, and Councilman Knous seconded, to approve contributing up to \$940 from the Virginia Christensen funds for this project. Unanimous. Mayor Myers declared the motion carried.

It was suggested that funds left over from 2002 Virginia Christensen funding be used to have a small funding round this spring. The Council wanted time to consider this suggestion, and the subject will be brought up at a later meeting.

#### RESTROOM LOCATION

City Attorney Robin Crites said that his research shows that there is nothing prohibiting the City from using that part of Second Street from Main Street to the flume to put the new public restroom. Sandy Kroll voiced her objection to the proposal that the restrooms be placed on that street. After more discussion, it was decided that putting the restrooms on the north side of the Kentucky Belle building was a more appropriate location.

Tom Roden said that he felt local contractors should have the opportunity to bid on building the restrooms rather than sending \$60,000 out of state.

#### REMOVAL OF UNUSED ELECTRICAL POLES

Councilman Knous told the Council about wanting the electrical poles and wires coming from Bachelor Road, across the Creede Mesa Group's property, across the east side of Amethyst Heights and on up the canyon taken down and removed. This wiring was used by the Commodore mines. There was a discussion as to whether the current owners of the Commodore, REC or the individual property owners, including the City, should bear the costs associated with the removal. Knous is to try to locate the current owners of the Commodore and a copy of the original easement agreement to determine how this should be handled.

#### ICE SKATING RINK

Superintendent of the School, Jim Boydston, notified the City that the School has decided to form a baseball team. They will need to start practice at the ball field the first of March and would like to have the ice skating rink removed. City Manager Wright had provided the Council with a memo listing the pros and cons of this request. There was some concern that Creede is getting ready to go into the snow months, and how would they be able to practice if the field is covered with snow? The Council decided to have the Maintenance Crew remove the rink so the 18 boys who want to play baseball will have someplace to practice. There were several suggestions as to how the Crew can best remove six to eight inches of ice, including covering it with black plastic to absorb solar heat to melt the ice. The ice cannot be broken into pieces because of the damage that would do to the plastic liner.

#### FOUNTAIN

A year ago a GOCO application was submitted to replace the water spigot in Basham Park with a regular fountain. That application was turned down. The suggestion was made that this project could be funded with Virginia Christensen funds. Wright is to get the information regarding the cost of this for the Council to take into consideration.

REVISED 2002 BUDGET

Mayor Myers presented the revised 2002 budget based on actual revenue and expenditures. Councilman Alexander moved, and Councilman Dooley seconded, to approved the revised 2002 budget as amended. Unanimous. Mayor Myers declared the motion carried.

TEMPORARY MAYOR PRO-TEM

Mayor Pro-Tem Chuck Barnes will be in recovering from major surgery during most of February, and a temporary Pro-Tem will be needed during that time. Councilman Knous moved, and Councilman Dooley seconded, that Councilman Goss be appointed temporary Mayor Pro-Tem. Unanimous. Mayor Myers declared the motion carried.

McLAUGHLIN ENGINEERS

The City received word today that Ron McLaughlin has left McLaughlin Water Engineers and will be forming his own company. He recommended that the City continue to retain the original company to complete the drainage project due to the fact that George Slovosky, who has done most of the work on that project, is staying with the original company. Ron said that the new company will be geared towards smaller towns and he would like to remain as the City's on-call Engineer. The Council felt that they had hired Ron and not the company, and therefore would like to stay with Ron. Councilman Alexander moved, and Councilman Knous seconded, to keep the rest of drainage project with McLaughlin Water Engineers, but to go with Ron McLaughlin and his new company and complete any paperwork necessary for this transition. Unanimous. Mayor Myers declared the motion carried.

DATE FOR SECOND FEBRUARY MEETING

Mayor Myers advised the Council that she will be out of town on the 21<sup>st</sup> when the second February meeting is scheduled. Councilman Goss moved, and Councilman Alexander seconded, to postpone the second meeting until the 28<sup>th</sup> at 2:00 p.m. Unanimous. Mayor Myers declared the motion carried.

EXECUTIVE SESSION

Councilman Alexander moved, and Councilman Goss seconded, to go into executive session at 10:20 p.m. for the purpose of discussion legal contracts regarding the water wells. Unanimous. Mayor Myers declared the motion carried.

Councilman Alexander moved, and Councilman Dooley seconded, to come out of executive session at 10:45 p.m. Unanimous. Mayor Myers declared the motion carried.

Councilman Alexander moved, and Councilman Knous seconded, to have lawyer Danke in Denver prepare an intergovernmental agreement between the City and County, and to keep City Attorney Robin Crites in the loop on the project. Unanimous. Mayor Myers declared the motion carried.

ADJOURN

There being no further business to come before the Council at this time, Councilman Alexander moved, and Councilman Goss seconded, that the meeting be adjourned. Unanimous. Mayor Myers declared the motion carried and the meeting was adjourned at 10:47 p.m.

Respectfully submitted:

Approved by City Council

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Sandra S. Wright, City Manager

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Betty Jean Myers, Mayor