

**CITY COUNCIL  
CITY OF CREEDE, COLORADO – A TOWN  
March 9, 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 7:30 p.m. There being present at the call of the roll the following persons:

**COUNCIL MEMBERS:** John Goss, JB Alexander, Merle Knous, Gene Dooley,  
Chuck Barnes, BJ Myers, Jennifer Homsher

Mayor Pro Tem Barnes 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

**APPROVAL OF AGENDA**

Item (e) under reports will be for the City Clerk as the election official to update council on the upcoming election. This was requested by Trustee Barnes. Mayor Myers asked for an executive session at the end of the meeting to update the Board on legal issues pertaining to the train. Trustee Alexander wanted to add something about the fish hatchery. This will be item (b) of old business.

**APPROVAL OF MINUTES FOR February 10, 13, and 24, 2004**

In the minutes of February 13th, it was suggested the portion of old business following the executive session be moved in the minutes to follow executive session. In the minutes of February 24<sup>th</sup>, some verbiage was changed in one sentence to make its contents more understandable. Trustee Dooley moved and Trustee Alexander seconded to accept the minutes of February 10, 13, and 24, 2004, as corrected. The vote was unanimous. Mayor Myers declared the motion carried.

**ACCEPT AND PAY BILLS**

After some discussion about the payments to Center Motor Car Company, it was decided that they should be paid and this matter can be taken up between the City and the County during contract negotiations. Trustee Barnes moved and Trustee Alexander seconded to accept and pay bills as identified on the cash disbursements journal. The vote was unanimous. Mayor Myers declared the motion carried.

**REPORTS AND PRESENTATIONS**

**CITY MANAGER'S/MAINTENANCE REPORT**

These reports were reviewed and discussed. City Manager Dooley was asked where the City is with the codification of ordinances. Dooley explained that he has contacted Robin Crites, whom has previously offered to codify the ordinances, to find out what he will charge for this project. He has not yet heard back from Crites. Some of the research may be done by another person on an hourly basis at a lesser rate than the City might have to pay Crites. City Attorney Gibbons offered his opinion that the City probably would not have to compensate Crites at the same rate as when he was City Attorney, but a lesser rate. The Town could even offer a flat rate for the projects Crites has previously offered to complete, including the codification. As soon as Dooley hears from Crites about a price, he will bring it before the Board for approval. There was a little more discussion, clarifying verbiage and type errors.

City Manager Dooley had a note from the chamber asking Council to verify the time and date of the Fourth of July parade so they could turn in their calendar information for print. After some discussion and asking the opinions of the citizens in the audience, Trustee Barnes moved and Trustee Homsher seconded to hold the Fourth of July parade at 2:00 p.m. on Sunday July 4<sup>th</sup> and the other Fourth of July events as normally scheduled. The vote was unanimous. Mayor Myers declared the motion carried.

Dooley and Keith Sidell asked the Board if any one of them may recall where the number seventeen may have come from in calculating the water and sewer charges for the Silver Moon trailer court. No one remembered specifically and referred it back to Dooley to determine or recalculate correctly.

The idea of using sackcrete to repair the holes in the streets was dismissed by council. They felt that after the ground dries out the hot mix can be tamped in and last until next winter. Trustee Dooley feels that there is no longer enough oil in the streets for the sackcrete to adhere to. Hopefully Carter-Burgess will be able to answer the questions and concerns about why the holes form and the best way to patch them.

#### WRITTEN REPORTS

This includes the Recreation report and the Chamber report. These reports will be reviewed by Council at their leisure. Neither Eloise Hooper nor Pat Richmond was required to be present this month to answer questions. Trustee Alexander asked Trustee Homsher if she wanted to take back over her position as the City's representative on the visitor's center project. They discussed where they were on that and Homsher said she would.

Kudos to Eloise Hooper were extended by Trustee Barnes in how she raises funds and runs the recreation department.

#### LIQUOR LICENSE RENEWAL – UNDERGROUND MINING MUSEUM/COMMUNITY CENTER

After receiving the renewal application and prior to the council meeting, the City Clerk had verified with Sheriff Leggitt that there had been no problems or complaints concerning the UGMM in the past year. He had confirmed that this was correct. Based on this information, Trustee Barnes moved and Trustee Alexander seconded to approve the renewal of the liquor license for the Underground Mining Museum. The vote was unanimous. Mayor Myers declared the motion carried.

#### SAN LUIS VALLEY HOUSING COALITION (RACHEL WILLIS)

Rachel Willis handed out brochures to both the council as well as to the people in the audience. She had a photo album she passed around depicting some of their work. Willis was a wealth of information and made a great presentation. Anything that she could not answer, she could refer the person with that question or questions to the person or persons that could answer it. A number of people from both within the City and out in the County came tonight to listen to what Willis had to say. Willis talked about two programs that the coalition now offers. One of those programs is the Home Rehabilitation Program. This has been approved in Mineral County as of three to four months ago. They are looking for licensed and insured contractors for this area. The payments can be amortized over as many as thirty years and the interest rates are flexible. The other program is the Down Payment Assistance Program for first time home buyers. They want to help enable home ownership. They can currently loan up to \$6,495 on a fixed five percent interest rate amortized over ten years. A second mortgage payment of \$68.89 is what one would pay if they were to receive the full amount of \$6,495.00. Willis reviewed the income guidelines for both programs and answered questions from the council members as well as the audience. The coalition also assists with housing development. The state does recognize the housing coalition as a Community Housing Development Organization (CHODO), which makes them eligible for many grants and funds that they utilize as much as possible. After further discussion with Willis, it was decided and tentatively set to schedule a housing workshop in the Creede area for a date in late May.

#### ELECTION UPDATE

The City Clerk reminded everyone that the municipal election will be Tuesday April 6<sup>th</sup>. There are positions open for the mayor and three trustees. There is currently one mayoral candidate and four candidates for trustee. In the race for Trustee, the top two candidates receiving the highest number of votes will fill four-year terms and the candidate receiving the third highest number of votes will fill the two-year term. Write-in affidavits of intent for either position will be received by the Clerk until the end of business on March 16<sup>th</sup>.

## OLD BUSINESS

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### CREEDE VETERANS MEMORIAL PARK (RON CARPENTER)

Ron Carpenter was available to update the Board about the Veterans Memorial project. Carpenter gave the Council drawings depicting the design and dimensions of the memorial. All seven branches of the military will be recognized. The stones will cost a little more because they are Colorado stones. They will be made of rose-colored granite so they do not resemble a tombstone. The memorial committee was given permission by council to run electricity from the street lights to the pole they want to keep illuminated. Fred Eastland was suggested as the person to possibly design the sidewalks in the park, but he will be leaving town soon for a period of time. The committee and the City need to get together soon so the park will be in shape for the summer. Rory Birdsey is donating a painting for auction as a fund raiser for the memorial. This will be available in eight to nine weeks. The projected dedication day is November 11 (Veterans Day), 2004.

### FISH HATCHERY

Trustee Alexander explained that the Willow Creek Committee has commissioned some people to make an inspection on the fish hatchery building to determine what needs to be done to bring it back into good repair. There is another crew they have commissioned that will put together a cost estimate and a "shopping list" to put in a laboratory there. Willow Creek Reclamation Committee (WCRC) is asking for the City's permission to proceed. The Mayor said the City is waiting to hear from the Division of Wildlife (DOW) about the contract between the two. City Attorney Gibbons said that he had a copy of the contract. It was just discussed yesterday according to Gibbons. Some of the things in the contract the DOW took exception with and had to be worked out. Trustee Knous feels that someone needs to make an appointment to meet with the head of the DOW, because Brent Woodward is just too busy to continue meeting with him. Trustee Knous recommends that Willow Creek should be the "someone" to take this project. Marvin "Zeke" Ward, the chairman of WCRC, was in the audience and he said he felt that Willow Creek would be happy to take care of this meeting and asked for a copy of the file. Mayor Myers told Ward that the two of them should get together and put together some talking points from the City for him to take to the DOW. Trustee Alexander proceeded to explain the details of the proposed laboratory and therefore its need here in Creede.

## NEW BUSINESS

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### SKATE PARK PRESENTATION (DEANNA PHENIX)

Deanna Phenix was available to explain to the Council that she now had in hand letters of support from the County as well as the school as Council requested at the last meeting. She also presented the Board with an information package to bring them up to speed on what the park would need for space and some of the materials needed and related costs, etc. Phenix has also helped Durango with their skate park. The Mayor clarified to the Board the property on the map that was provided by Phenix. Phenix feels that this property is big enough to accommodate the park. The only concern the Mayor brought up was a noise issue for the people on the other side of the flume from the park. This property is located to the east of the ball park restrooms in south Creede. Trustee Dooley suggested the property south by the blue barn that Muley's trash service uses. There was discussion about the proposed hours of operation; the age of the people that may want to skateboard or roller blade. The Mayor said that previously proposed for the property north of the restrooms was a volleyball area and picnic area. It was felt that these two properties, when complete, would nicely compliment each other. A commitment from the City is what is needed at this time for the skate park committee to move forward. Trustee Barnes moved and Trustee Goss seconded that the City offer the location as described east of the ball park restrooms as a place to construct this skate park. Trustee Homsher asked that actual measurements be incorporated into the motion as well. There were 5 yeas and 1 nay (Trustee Dooley). Mayor Myers declared the motion carried.

EXECUTIVE SESSION

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Trustee Goss moved and Trustee Alexander seconded to go into executive session for the purpose of talking about legal questions pertaining to the railroad right-of-way. The vote was unanimous. Mayor Myers declared the motion carried and the Council went into executive session at 9:30 p.m.

Trustee Barnes moved and Trustee Alexander seconded to come out of executive session. The vote was unanimous. Mayor Myers declared the motion carried and executive session ended at 10:37 p.m.

ADJOURN

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There being no further business to come before the Council at this time, Trustee Alexander moved, and Trustee Homsher seconded, that the meeting be adjourned. The vote was unanimous. Mayor Myers declared the motion carried and the meeting was adjourned at 10:39 p.m.

Respectfully Submitted:

Approved by City Council:

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Pamela Wilson, City Clerk/Treasurer

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Betty Jean Myers, Mayor