

**CITY COUNCIL**  
**CITY OF CREEDE, COLORADO – A TOWN**  
**April 12, 2005**

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 6:35 p.m. There being present at the call of the roll the following persons:

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

There were two additions made to the agenda. Old Business (b) Taste of Creede parade permit modification and New Business (f) Clandestine Methamphetamine Lab discussion.

APPROVAL OF MINUTES FOR March 8, 2005

Trustee Barnes moved and Trustee Dooley seconded to approve the minutes of March 8<sup>th</sup> as presented. The vote was unanimous. Mayor Seime declared the motion carried.

ACCEPT AND PAY BILLS

Questions were asked and answered. Trustee Barnes moved and Trustee Goss seconded to approve the bills to be paid as submitted on the check detail report for the month of March 2005. 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 this Report.

Concerning The Creede America Group, LLC request for annexation into the City, Trustee Owens moved and Trustee Brink seconded to accept a contract provided by Rural Planning Institute (RPI) stating their consulting fees during the pre-annexation and annexation process for this request and direct the Mayor to sign this agreement after an application is accepted by the City Manager. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Goss moved and Trustee Brink seconded to approve thirty-seven thousand dollars to be made available for the Virginia Christensen spring funding. The vote was unanimous. Mayor Seime declared the motion carried.

The Department of Local Affairs (DOLA) requested the City of Creede offer an additional two thousand dollars toward the "Creede Flood Control" grant process. On March 23<sup>rd</sup> City Manager Dooley and Leigh Ann Vradenburg of Willow Creek Reclamation Committee (WCRC) presented to DOLA the request for \$18,000 offering the additional two thousand dollars along with the in-kind donation from the City. Dooley is requesting an official approval of the two thousand dollars for this project. Questions were asked and answered during a discussion of the Board. Determining it was available and justifying the use, Trustee Brink moved and Trustee Owens seconded to approve the additional donation of two thousand dollars to this grant process from the City's drainage fund. There were five yeas and one nay (Trustee Dooley). Mayor Seime declared the motion carried.

Dooley explained that the City of Creede has been offered three free trees to be delivered and planted on April 15<sup>th</sup>, for Arbor Day. Jim Clare from San Luis Valley Rural Electric Cooperative (SLVREC) has asked for three locations to plant the trees. Some members of the Board volunteered to meet with Dooley at Basham Park at ten o'clock a.m. April 13<sup>th</sup> to determine where the trees should be placed.

Dooley reminded Council that Muley's Trash Service contract will expire in May of this year. Dooley made copies of the contract for each of the Board members to review before the next meeting. A work session will be scheduled a week or two before the May meeting for the Board to review and discuss the contract together before they make a decision at their May meeting.

Dooley informed the Council that Mike Kolisch signed the Building Inspector contract on April 4, 2005, and now has until October 1, 2005, to have completed his building code certification as per the contract.

#### SHERIFF'S REPORT

This report was reviewed and discussed. Sheriff Leggitt's report reflected 1,300 miles and 350 hours had been patrolled in the City during the month of March. This report also reflected twenty incidents and complaints, one citation and no accidents.

#### RECREATION REPORT

Eloise Hooper was available to answer questions about her report.

#### WRITTEN REPORTS

This includes the Chamber of Commerce Report. This report is to be reviewed at the Council's leisure.

#### CREEDE ARTS COUNCIL (CAC)

Diane Knutzon introduced herself to the Board of Trustees. She is the new program director for the Creede Arts Council replacing Lynna Jackson. Knutzon hopes to continue the good work of the council.

#### OLD BUSINESS

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##### ORDINANCE NO. 334 – WATER, WASTEWATER AND DRAINAGE REGULATIONS

After some discussion Trustee Barnes moved and Trustee Goss seconded to adopt, pass, and approve Ordinance No. 334. The vote was unanimous. Mayor Seime declared the motion carried.

This ordinance was passed on the first reading in accordance with Ordinance No. 221 and will be published in *The Mineral County Miner* and *The South Fork Times*.

##### TASTE OF CREEDE – PARADE PERMIT MODIFICATION

Trustee Barnes moved and Trustee Dooley seconded to approve the modification of the parade permit that had previously been approved for the Taste of Creede festivities. The vote was unanimous. Mayor Seime declared the motion carried.

#### NEW BUSINESS

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##### LIQUOR LICENSE RENEWAL – MINERAL COUNTY/CREEDE UNDERGROUND MINING MUSEUM

After a discussion and input from Sheriff Leggitt, Trustee Goss moved and Trustee Brink seconded to approve this license renewal. There were five yeas and Wylesky abstained. Mayor Seime declared the motion carried.

##### LIQUOR LICENSE RENEWAL – THE CREEDE HOTEL AND RESTAURANT

After a discussion and input from Sheriff Leggitt, Trustee Barnes moved and Trustee Goss seconded to approve this license renewal. There were five yeas and Wylesky abstained. Mayor Seime declared the motion carried.

SHERIFF'S OFFICE REQUEST FOR DONATION FOR ALIVE AT 25 DRIVING CLASS

A letter was sent to the Board of Trustees requesting financial support for an Alive at 25 driving class that the Mineral County Sheriff's Office is sponsoring. This class is to be held at the Community Center on Friday, April 15<sup>th</sup>. Questions were asked and answered. Trustee Goss moved and Trustee Owens seconded for the City to add the balance of three hundred dollars to the funding. The vote was unanimous. Mayor Seime declared the motion carried.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended that City Council follow the necessary process to approve Lowell Hicks' request to construct a ramp for handicap access into his store, Elk County. Questions were asked and answered. Trustee Brink moved and Trustees Barnes seconded to approve this recommendation provided the ramp is built in compliance with the Americans with Disabilities Act (ADA) and that the hand railing extends out to the edge of the property line. The vote was unanimous. Mayor Seime declared the motion carried.

RESOLUTION 05-04 – ANNEXATION PLAN

There was a discussion and some minor corrections to be made to this document. Trustee Barnes moved and Trustee Brink seconded to approve this resolution as amended. The vote was unanimous. Mayor Seime declared the motion carried. City Manager Dooley was directed to make the appropriate changes.

CLANDESTINE METHAMPHETAMINE LAB (METH LAB) DISCUSSION

Sheriff Leggitt updated the Board on the bust made in late March at a mobile home located at 905 La Garita Street space #7. Leggitt explained the roles of the Drug Enforcement Administration (DEA), the Colorado Bureau of Investigation (CBI), and the Environmental Protection Agency (EPA) in this process. Based on the evidence collected by the DEA, this site had been referred to as a "meth lab" by the local agency. Due to the potential seriousness of possible contamination, Sarah Scott, the Mineral County Public Health Nurse expressed her concern about a clean-up procedure for this property. Currently the law allows for the property owner to regain possession of their property and take responsibility for clean-up. It was discussed that the City should take further steps to ensure this process has been followed. After listening to the information that was presented, questions were asked and answered and guidance was sought from the City attorney. Trustee Goss moved and Trustee Owens seconded that the mobile home at 905 La Garita Street space #7 is declared by council to be a nuisance as defined in City ordinance 182, section 10-1-1. The vote was unanimous. Mayor Seime declared the motion carried. It was then discussed that the owner of the home should be served notice to abate in accordance with City ordinance 182, section 10-1-3. Trustee Goss moved and Trustee Brink seconded to direct the City Manager to have the Sheriff serve a notice of abatement to the home owner requiring her to show certification that her property has been cleaned up as required on or before April 29, 2005. The vote was unanimous. Mayor Seime declared the motion carried.

There was a discussion about some of the properties in town that have old cars, old or non-working appliances, other collectables that some may find to be a nuisance. The City's current nuisance ordinance is written somewhat too vague to properly uphold. City Attorney Gibbons explained to Council that both Monte Vista and Saguache County have such ordinances, he could bring copies for Council to review regarding blight and related offenses. Gibbons was directed to draft a new nuisance ordinance and a blight ordinance for the Board to review and consider.

ADJOURN

There being no further business to come before the Council at this time, Trustee Goss moved, and Trustee Dooley seconded, to adjourn the meeting at 8:12 p.m. The vote was unanimous. Mayor Seime declared the motion carried.

Town Board  
City of Creede  
April 12, 2005  
Page 4

Respectfully Submitted:

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Pamela Wilson, City Clerk/Treasurer

Approved by City Council:

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Eldon M. Seime, Mayor