

**CITY COUNCIL  
CITY OF CREEDE, COLORADO – A TOWN  
April 14, 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:** John Goss, JB Alexander, Merle Knous,  
BJ Myers, Jennifer Homsher, Chuck Barnes  
Gene Dooley

Mayor Myers, presiding, declared a quorum present:

Those members of staff also present were as follows:

Robin Crites, City Attorney  
Clyde Dooley, City Manager  
Pamela Wilson, City Clerk/Treasurer

**APPROVAL OF AGENDA**

Items added to the agenda included: Old Business item (e) Ron Hague's parcels, New Business items (h) and (i), respectively, Resolution #03-04 (re-defined as Resolution #03-01 Amended) and Cleaning Person Contract. Agenda approved as amended.

**APPROVAL OF MINUTES FOR March 10, 21 and 28, 2003**

There were several typos on each of these minutes which were corrected. Trustee Alexander moved, and it was seconded, to approve these minutes as corrected. The vote was unanimous. Mayor Myers declared the motion carried.

**ACCEPT AND PAY BILLS**

Trustee Alexander moved, and Trustee Homsher seconded, to accept and pay bills. The vote was unanimous. Mayor Myers declared the motion carried. The council did request to take a look at the invoice that was paid to Davis Engineering on the North Creede Project as well as requesting the City Manager to look into the payment of travel expense to First National Bank. The new City staff was welcomed and introduced.

**REPORTS AND PRESENTATIONS**

**CITY MANAGER'S REPORT**

Mayor Myers requested that Clyde check into why we haven't received a check monthly from Child Care Services. This is to be done until their debt to the City is paid in full. In the matter of the water line that was damaged, the maintenance crew was instructed to track their hours spent shutting it off and turn them into the office. We will need to find out who is responsible for that and deal with it. As far as future needs for permits, Trustee Alexander and Fred Eastland will get together and come up with a permit system for digging. This can be presented at the May meeting. No further discussion on the Manager's Report.

**SHERIFF'S REPORT**

Sheriff Leggitt reported 972 miles and 300 hours patrolled in the City, with 10 incidents and complaints, 3 citations and 2 accidents. This report was accepted. There was some discussion regarding the vandalism at the ball park. Trustee Knous suggest the City put up a sign stating the penalties for vandalism and/or criminal mischief to City property.

**MAINTENANCE SUPERVISOR'S REPORT**

Some clarification was made by Shaun of some of the items mentioned in his Maintenance Supervisor's Report. The narrative was missing and Shaun said he would find his copy and make copies for the Council.

### BUILDING INSPECTOR'S REPORT

Building Inspector Fred Eastland was present to answer questions about the Building Inspector's Report. A couple questions were asked and answered about the Drainage Project.

### WRITTEN REPORTS

The Recreation Director's report was missing from the agenda. It will be reviewed at the Friday meeting.

### LIQUOR LICENSE – Creede Hotel

After a brief discussion, Trustee Barnes moved, and Trustee Alexander seconded, to renew this liquor license. The vote was unanimous. Mayor Myers declared the motion carried.

### LIQUOR LICENSE – Underground Mining Museum

After a brief discussion, Trustee Alexander moved, and Trustee Dooley seconded, to renew this liquor license. The vote was unanimous. Mayor Myers declared the motion carried.

### PARADE PERMIT – Taste of Creede

After a brief discussion, Trustee Knous moved, and Trustee Alexander seconded, to grant the permit. The vote was unanimous. Mayor Myers declared the motion carried.

### OLD BUSINESS

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#### KELLY MORTENSEN

Kelly presented his position on taking the power poles down starting on the Mesa Group property, across the private property in Amethyst Heights and continuing on City property up to the "Y" at the confluence of East and West Willow. He and a crew he has put together will come in on their own, not as REC, to do the work. These are experienced men that are familiar with what they will be working with. Kelly's original bid took him only up to the "Y". He is proposing that he be cleared of any and all liability associated with this project. Discussion of ownership of the line, pole and easement took place. If they can hold off beginning work until the May meeting, then an answer can be given to them about waiving liability. Find out also, where City land ends and where Forest Service land begins, and if the property owners in Amethyst Heights would be willing to pay their portion of this project and take that liability themselves. Robin was asked to please check into these things for the May 12, 2003, meeting.

#### SOUTH CREEDE EXTENSION

There was considerable discussion on this matter. The maps were taken out and looked at and further review is necessary. Mark Tiley was available for discussion as well. He brought up several good points regarding a formula for potential water usage and fee system. He was asked to put together a proposal and develop written concepts and have it turned in to go in the packets for the May 12, meeting. A motion was made by Trustee Barnes and seconded by Trustee Goss to table this topic until the May meeting. The vote was unanimous. Mayor Myers declared the motion carried.

#### RE-ADOPT ORDINANCE NO. 329 TO CORRECT ERROR

This ordinance was reviewed and there were some discrepancies in Sect 1-b. The map will need to be reviewed and the verbiage corrected. Trustee Alexander moved and Trustee Knous seconded to table this until the Friday 18, meeting. The vote was unanimous and Mayor Myers declared the motion carried.

### UNITED STATES FLAGS

The council was asked to find out if the City didn't have several flags that use to be displayed on a regular basis. A motion was made by Trustee Knous and seconded by Trustee Dooley to fly the flags and if the flags could not be located to buy ten flags. The vote was unanimous and Mayor Myers declared the motion carried.

### RON HAGUE'S PARCELS

Ron can divide his lots as long as he keeps the legal descriptions as lots sixteen, seventeen and eighteen. There will be no "A" or "B" and they will not be re-platted.

### NEW BUSINESS

#### ANTIDISCRIMINATION RESOLUTION

Trustee Dooley read a statement (see attached) apologizing for the remarks he had previously made both in a Council meeting and public ally concerning the hiring of the City Manager. The equal employment Resolution City of Creede 3003- was discussed and some minor changes in the wording was made to the last paragraph. Trustee Barnes moved and Trustee Goss seconded to adopt Resolution City of Creede 3003-. The vote was unanimous. Mayor Myers declared the motion to adopt this resolution carried.

#### NEW CONCEPT FOR RECREATION CENTER

The possibility of refurbishing the present location was discussed. The Mining Museum Board favors using the north tunnel of the existing complex for the recreation center. They would like to eventually move the Recreation Department up there. The bar would be moved into the Community Center area. The entire north area would be turned over to the City. The utilities are already separate. There is a place where restrooms can be added as well. Maintenance of this facility was discussed. Air quality issues were brought to the attention of the Council. Discussion about these issues took place. Trustee Alexander moved and Trustee Knous seconded to further look into the possibilities of refurbishing the current location of the recreation center. The vote was unanimous. Mayor Myers declared the motion carried.

#### DOLA FUNDING

There was nothing to report at this time.

#### BANK SIGNATURE INFORMATION

There was discussion about this issue. Trustee Alexander was asked if he wanted to get a copy of the law stating that social security cards are not or should not be required by banks for a person to be a signer on an account. This was postponed until Friday's meeting.

#### SPRING CLEAN-UP DAYS

Postponed until Friday. We will contact the County to find out what they have planned for this annual event.

#### UPS SERVICE IN CREEDE

The equipment required to operate a pickup station for UPS is too pricey for local businesses to afford. There was discussion regarding this matter. Nothing, really, the City can do about this. Mostly this was to make the Council aware that there is delivery only and no pick up.

FIREWORKS PERMIT ORDINANCE

Sheriff Leggitt mentioned that without more moisture there may still be a fire ban this July Fourth. The state requires anyone wanting to shoot off fireworks must be certified as either a Fireworks Display Operator or a Pyrotechnic Operator. There is a process to follow to become certified by the Division of Fire Safety. The City's current Ordinance should be re-written to reflect these requirements as well. Robin Crites will take care of this. There are two people in Creede that are currently certified. The Elk's Club will have to get someone certified if they intend on having fireworks this year. City Manager Dooley will deliver to the Elk's a copy of the CML article as well as a copy of the law requiring certification.

RESOLUTION NO. 03-04

City Manager Dooley will make corrections to this resolution and present it at the Friday, April 18, 2003 meeting. This will include the updated permit fees.

OFFICE CLEANING CONTRACT

Kenny Leggitt is now cleaning the City offices for the same amount that Sandra was being paid to clean. A question was asked about if the City should have put that job up for bid. Mayor Myers will check into this and provide that information at Friday's meeting.

NEXT MEETING

Friday is Good Friday. The staff has the afternoon off that day so it was decided by the Council to have the Friday meeting at 9:00 a.m. rather than the usual 2:00 p.m.

ADJOURN

There being no further business to come before the Council at this time, Trustee Alexander moved, and Trustee Barnes seconded, that the meeting be adjourned. The vote was unanimous. Mayor Myers declared the motion carried and the meeting was adjourned at 10:40 p.m.

Respectfully Submitted:

Approved by City Council

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Clyde Dooley, City Manager

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Betty Jean Myers, Mayor