

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
May 13, 2008**

REGULAR MEETING

The Board of Trustees 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 5:38 PM. There being present at the call of the roll the following persons:

PRESENT: Kathy Lehman, Evelyn Gant, Peter Calandruccio, Joe Keller,
Rex Shepperd, Dana Brink
ABSENT: Debbie Wylesky

Mayor Calandruccio, presiding, declared a quorum present:
Those members of staff also present were as follows:

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

REVIEW AGENDA

Item (f) of Reports and Presentations was added for New Business in Town. The agenda was approved as amended.

APPROVAL OF MINUTES FOR APRIL 8, 2008

Trustee Shepperd moved and Trustee Brink seconded to approve the minutes of April 8, 2008, as presented. The vote was unanimous. Mayor Calandruccio declared the motion carried.

MONTHLY DISBURSEMENTS

Questions were asked and answered. Trustee Brink moved and Trustee Keller seconded to approve the monthly disbursements as presented on the April 2008 check detail report. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

REPORTS AND PRESENTATIONS

COLORADO MUNICIPAL LEAGUE (CML)

Kevin Bommer made a stopover in Creede on his way from the Spring Outreach meeting in Monte Vista to a water workshop in Gunnison. Bommer explained that there are thirteen people that work at CML representing the municipalities in the State of Colorado. A lot of what they do “is to play a lot of defense at the Capitol on behalf of the cities and towns.” Bommer reviewed some of the House Bills (HB) and Senate Bills (SB) and their status at the end of the Legislative Session that just ended. Bommer explained the outreach and training programs that CML offers including workshops and the annual meeting. Sara Reynolds is the CML contact for these programs. Bommer asked the Board to share with him some of their wish list and what is going on in the Town of Creede. Questions were asked and answered by both Bommer and the Board of Trustees.

BLOCK 25 REPLAT UPDATE

Anne Pizel had planned to address the Board to give them an update on the Block 25 Replat project; however, due to an illness in her family, Pizel was unable to be here tonight. She has requested that this issue be added to the Board’s work session agenda. The Board agreed this was acceptable.

BASLER PROPERTY INFORMATION AND QUESTIONS FOR THE BOARD

Once again, Anne Pizel had planned to address the Board with an update of the information they had previously requested for the issue with the Basler property as well as ask some other question of the Board; however, as previously mentioned, due to an illness in her family, Pizel was unable to be here tonight and would like to carry this issue to the Board’s work session agenda as well. The Board has agreed to this as well.

BUILDING INSPECTOR'S REPORT

Mike Kolisch was not available to answer questions about his report. The Board reviewed Kolisch's report. Mayor Calandruccio stated that he would like to have Kolisch present at the Board meetings to answer questions of the Board. City Manager Dooley answered some of the questions.

WRITTEN REPORT

This includes the Recreation Report to be read at the Board's leisure.

NEW BUSINESS IN TOWN

Christine Funk was invited to share information about her new business *High Mountain Arts*. Funk told where her business is located, some of what she would be selling and when she will open. She talked about hanging plants that would be nice in Basham Park. She offered to work with the City on the possibility of hanging plants on the Gazebo.

Stephanie Wood explained that she is starting up a free local newspaper that will be available at various merchants around town. The name of the newspaper is "The Silver Bulletin"© and the first edition will be available this Thursday.

Ed Vita introduced himself and Trisha Taylor as the new owners of Mac's Old Mine. They have changed the name back to *The Old Miner's Inn* and are slowly transforming it.

Mayor Pro-Tem Shepperd acknowledged *The Mermaid Café* has been in operation for a little while and "we are so glad to have you back."

PUBLIC HEARINGS

NEW BEER AND WINE LICENSE FOR THE MERMAID CAFÉ, LLC

Sharon G. Brown, Manager/Owner and Michael S. Lewis, General Partner of The Mermaid Café, LLC are requesting a Beer and Wine License.

Mayor Calandruccio opened the public hearing.

Brown explained her reasons for this request are to increase the income of her business as well as to the City. Brown and Lewis both expressed their belief that beer and wine are part of the meal and they have no intention of having a bar.

Ginger Alexander of Creede spoke in support of the issuance of this license. Alexander explained she felt it would enhance the dining experience at *Mermaid* for them to be able to serve beer or wine with a meal.

Stephanie Wood of Creede spoke in support of the issuance of this license. Wood said she feels it would be a great compliment to *Mermaid Café* to be able to serve beer or wine with their meals.

Michelle Richardson of Creede spoke in support of the issuance of this license. Richardson stated that she herself is not a drinker, but she feels Sharon Brown is a responsible, honest human being and Richardson does not believe this will turn into anything other than just a little bit of added income. She feels it would be good thing for the community and it is not going to be a bar.

Christine Funk of Creede spoke in support of the issuance of this license. Funk explained that she, too, had a Beer and Wine License for a short time when she owned *Journeys* and it was a nice thing to have and is complimentary to Brown's meals.

Mayor Calandruccio closed the public hearing.

Questions were asked and answered. Trustee Brink moved and Trustee Shepperd seconded to approve the Beer and Wine License for *The Mermaid Café, LLC* d/b/a *The Mermaid Café* located at 115 N. Main Street in Creede. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

NEW BUSINESS

MAYORAL INITIATIVES

Mayor Calandrucchio explained the limited authority that mayors have other than running the meetings and breaking tie votes. Calandrucchio alluded to his childhood and the mayor of *The Wizard of Oz* and how he would invite dignitaries and celebrities to the City and he would present them with a key to the city. Calandrucchio has made his version of a “key to the City” and distributed them to everyone in attendance at this meeting including the Trustees and staff.

1) CITY FINANCES

Mayor Calandrucchio explained that the city has an approximate budget of \$350,000 with a reserve of approximately \$750,000 between two separate accounts. City Manager Dooley explained that the staff provides a cash flow report along with the bank account balances four times a year. Questions were asked and answered.

2) INFRASTRUCTURE

Ben Davis and Robert Schlough, of the City’s Public Works Department, were asked to be in attendance at tonight’s meeting; however, they were unable to attend. City Manager Dooley explained their absence because they have been taking turns monitoring the upper water tank and the lower water tank that have lost communication between them. While taking care of this problem it was discovered that the telemetry system between the wells and the lower tank has gone on the blink. Dooley explained the repairs to the upper and lower tank communication will be handled with a radio control system and said he has a request later in the meeting in his Manager’s Report for a “fix” to the telemetry problem. Calandrucchio asked Dooley to update the Board and the audience of the ongoing infrastructure issues and repairs. Dooley explained that not only does the city have to have monies for matching grant money that is received, but also the city has to be prepared for unexpected emergencies. Dooley talked about the paving for La Garita Avenue is scheduled for June of this year. Eighty-seven thousand dollars have already been appropriated and set aside for this project; however, by this time the price has gone up considerably and more monies will have to be appropriated for this project. Dooley explained that to completely do the paving that is not covered by the waterline distribution replacement project would take a general obligation bond which has to go to the voters for approval. Dooley said he has invited Josh Magden of George K. Baum & Company Investment Bankers to the next meeting to start a dialogue about what it takes to put a referenda on the ballot.^{sic} One of the lowest quotes the City has received so far to repair the flume with gunite is \$450,000. Dooley continued to explain that appropriation requests have been sent to Senators Allard and Salazar and to Congressman Salazar for 1.5 million dollars in 2009. Questions were asked and answered. Dooley will provide more information about the infrastructure at the May work session.

3) MINING AND COMMUNITY

Mayor Calandrucchio explained that mining is potentially on the way to this community. Today Rio Grande Silver opened their office in south Creede. Exploratory drilling has begun.

PARADE PERMIT REQUEST – FRIENDS OF CRT – FRIENDS TAIL GATE PARTY

Merl and Kathy Jennings were available on behalf of the Friends of the CRT to request a parade permit to close that portion of First Street between Main and Loma Streets for a tail gate party between 11:30 AM and 1:30 PM on July 19, 2008, preceding the matinee performance at the theatre. Jennings explained that they will not be serving alcohol; however, some of the members of the “Friends” may bring beer or wine in their coolers to enjoy with their tail gate lunch. Questions were asked and answered. The Sheriff was available to comment and the city clerk provided a memo outlining the concerns and preferences of State Liquor Enforcement. Trustee Shepperd moved and Trustee Lehman seconded to approve the parade permit for the street closer with no alcohol allowed in this permitted area. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandrucchio declared the motion carried.

ART PARK LEASE WITH CREEDE ARTS COUNCIL (CAC)

Trustee Shepperd moved and Trustee Keller seconded to approve the Art Park Lease with the Creede Arts Council (CAC) to last for five years from May 19, 2008 to May 18, 2013. Trustee Gant disclosed that she is currently serving as the treasurer to the CAC. By roll call vote: KL yes, EG abstain (due to her association with CAC), DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

The CAC provided a five dollar check made payable to The City of Creede.

VIRGINIA CHRISTENSEN SPRING FUNDING RECOMMENDATIONS

Trustee Brink commented that she appreciates the priority status the committee has assigned to each applicant. Trustee Gant, knowing the monies the city is needing at this time to complete several major projects, the waterline distribution replacement and the Willow Creek flume repair project, just to name a few, she suggested that the Board might consider cutting back the monies they make available for granting to other organizations over the next few years and keeping it themselves to have as matching monies for grants as well as to help repay loans for these projects. Trustee Shepperd moved and Trustee Keller seconded to accept the recommendations of the Virginia Christensen Advisory Committee and to grant the monies for the spring funding as they have suggested. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

There were eleven applicants each receiving funding for a total of thirty thousand dollars.

FOURTH OF JULY PARADE THEME AND GRAND MARSHAL SUGGESTIONS

Trustee Shepperd moved and Trustee Brink seconded that the parade will be held at 10:00 AM on Friday, July 4, 2008. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

Trustee Keller moved and Trustee Lehman seconded to accept *Creede's Silver Lining* as the parade theme. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

Trustee Shepperd moved and Trustee Brink seconded that the city should ask Bea McClure to be the Grand Marshal for the parade and Edna Miles will be asked as a backup in case McClure is unable to make the trip up. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

NOTICING PROCEDURES

It was agreed by the Board that further discussion is required on this issue and have requested to move it to the May work session.

LETTERS OF INTEREST TO JOIN THE PLANNING AND ZONING COMMISSION

Letters of interest to join the City's Planning and Zoning Commission have been received from Creede residents Ed Vita, Martha Owens, John Bruce and Larry Lewis. They were all in attendance and each of them spoke briefly to the Board as Mayor Calandruccio had requested. The vote was done by paper ballot provided by the Clerk and tallied by the Mayor. As a result of the vote, Owens, Bruce and Lewis were appointed as commissioners to Planning & Zoning Commission.

CITY MANAGER'S REPORT

The items discussed and the actions taken were as follows: City Manager Dooley requested permission to sell the six biathlon rifles purchased with Virginia Christensen Trust money in 2002. They are being stored here at the city and no one is currently using them. The club that had originally requested them is no longer in the area nor are they actively using the rifles. Trustee Shepperd moved and Trustee Gant seconded approved the sales of the rifles, and the money will be returned to the Virginia Christensen Trust Fund Money Market Account. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandruccio declared the motion carried.

City Manager Dooley requested direction to approve an engagement letter with Eric Heil as planner of the Creede Resources Property. The Trustees asked for copies of the letter for them to review and add this to their May work session.

City Manager Dooley asked the Board to approve the use of available, approved and appropriated funds in the Capital Improvement Fund to replace the telemetry system completely between the wells and the lower tank and between the lower and upper tanks for a total of \$23,800. Trustee Gant moved and Trustee Shepperd seconded to approve this expenditure of funds. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandrucchio declared the motion carried.

Dooley visited with Catherine (Cat) Lynch and Lynna Jackson about fund raising and grant writing ideas to raise money for the Willow Creek Flume rehabilitation. The Board requested that both Lynch and Jackson prepare a proposal to present to the Board at the May work session.

City Manager Dooley requested the Board clarify the status of sign ordinance number 245 that is currently in review for possible revisions. The suspension of enforcement ends today. Trustee Shepperd moved and Trustee Gant seconded to extend the suspension of enforcement for another thirty days. By roll call vote: KL yes, EG yes, DW absent, JK yes, RS yes, DB yes. Mayor Calandrucchio declared the motion carried. The city attorney is to look at the proposed revisions from the April work session and make comment before the May work session.

Dooley made mention of the Mineral County Planning and Zoning Commission meeting scheduled for Thursday, May 15, 2008 at 7:00 PM.

Dooley noted that the City's insurance carrier, CIRSA, has required an update to the employee handbook of the harassment verbiage. This has been done.

The Trustees agreed to have their regular work session on Tuesday, May 27, 2008 at 5:30 PM.
This report had other informational only items in it as well.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Shepperd moved and Trustee Brink seconded that the meeting be adjourned at 8:20 PM. The vote was unanimous. Mayor Calandrucchio declared the motion carried.

Respectfully submitted:

Approved by Board of Trustees:

Pamela J. Wilson, City Clerk/Treasurer

Peter Calandrucchio, Mayor