

**BOARD OF TRUSTEES  
CITY OF CREEDE, COLORADO – A TOWN  
February 13, 2007**

REGULAR MEETING

The Town Board 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:

BOARD MEMBERS: Kim Nagy, Debbie Wylesky, Martha Owens, Eldon Seime,  
Rex Shepperd, Dana Brink  
ABSENT: Chuck Barnes

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

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

REVIEW AGENDA

The following additions and changes were made to the agenda: (g) was added to Presentations for Trustee Owens to Announce a Public Meeting; (a) was added to Old Business to Address the Law Enforcement Agreement; (k) was added to New Business to Receive Trustee Wylesky's Resignation from the Planning And Zoning Commission and to Appoint Another Trustee to Fill the Position as an Ex Officio Member; and to change the arrangement in New Business to allow (j) Resolution 07-05 to go ahead of (a) and to allow for business property owner, Anne Pizel, as spokesperson for the Property owners in Block 25 of Creedmoor, to speak on their behalf regarding Resolution 07-05.

The agenda was approved as amended.

APPROVAL OF MINUTES FOR JANUARY 3 AND 9, 2007

Trustee Owens moved and Trustee Shepperd seconded to approve the minutes of January 3, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Brink moved and Trustee Owens seconded to approve the minutes of January 9, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

MONTHLY DISBURSEMENTS

Questions were asked and answered. Trustee Owens moved and Trustee Shepperd seconded to approve the monthly disbursements as presented on the January 2007 check detail report.

REPORTS AND PRESENTATIONS

BUILDING INSPECTOR'S REPORT

Mike Kolisch was not available to answer questions about his report. The report was reviewed.

CHAMBER OF COMMERCE REPORT

Brenda Maze was available to answer questions about this report.

WRITTEN REPORT

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

UPDATE OF FUTURE EXPANSION PLANS FOR KENTUCKY BELLE MARKET – RON FIEF

Ron Fief was present to address the Town Board about plans he has for the future needs of his store. He explained that he will need to expand the store within the next couple years to meet the needs of his customers. Knowing that in the future there will be changes in various properties in the city limits, Fief told the Board that he would like to be included in those possibilities. The Planning and Zoning Commission included a letter supporting Fief's plans. The commission is recommending to the Town Board that all reasonable effort be made to

accommodate the Kentucky Belle in its expansion as well as that the Kentucky Belle Market be given priority in the consideration of land needs on the property to the west of its current location. If and when the railroad right of way issues are resolved in a manner that would allow the City of Creede to lease, sell, transfer, or otherwise enter into an agreement for the use of that property that negotiations for an agreement with Kentucky Belle Market be commenced. It was determined by the Town Board that no action can or will be taken on this issue at this time. The Board asked Fief if he would be available so they could discuss his plans further in a work session.

#### FABULOUS FLUME FOOTBRIDGE PROJECT UPDATE – PETER CALANDRUCCIO

Peter Calandrucchio reported that the ten thousand dollars in sponsorships needed has been raised. Calandrucchio has spoken with the United States Army Corps of Engineers (USACE) and this competition is scheduled to kick off on Monday, February 19, 2007. The winning design will be awarded seven thousand dollars and the hope is to have this project completed by July Fourth.

#### HOUSING AUTHORITY – MARTHA OWENS

Trustee Owens explained that she had been approached by a citizen to bring the idea to the Board to consider looking at developing a public Housing Authority in the city. Owens explained that this will not happen within the next couple months, but feels there will be a need in the future for this authority. Owens has been searching the internet for information as well as speaking with someone at USDA Rural Housing office in Alamosa. The possibility of considering Habitat for Humanity Housing, funded primarily by donations, was addressed. The Board directed City Manager Dooley to explore what information is available to them for their March or a later work session.

#### ANNOUNCE A PUBLIC MEETING – MARTHA OWENS

Trustee Owens announced a public meeting about the proposed Village at Wolf Creek that she has been made aware of. It will be held on Friday, February 16<sup>th</sup>, at the Inn of the Rio Grande in Alamosa, Colorado from 6:00 to 7:00 p.m. The people on the program will be Red McCombs, Bob Honts, Dusty Hicks, Jim Moriarty, John Boyd and Terry Smith. The tax study prepared by Wall, Smith, Bateman and Associates on Mineral County will be released at this meeting.

#### OLD BUSINESS

##### INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

Mayor Seime explained that another version of the Intergovernmental Agreement for Law Enforcement was presented to the Town Board just minutes before tonight's meeting. After reviewing the document and asking for the opinion of the City Attorney, Trustee Shepperd moved and Trustee Brink seconded to approve the Intergovernmental Agreement between the City of Creede and Mineral County for Law Enforcement Services and to authorize the Mayor to sign it. Mayor Seime allowed brief public comment before the vote. By roll call vote, the vote was unanimous. Mayor Seime declared the motion carried.

#### NEW BUSINESS

##### BLOCK 25 PROPERTY OWNERS PRESENTATION AND RESOLUTION 07-05 – AUTHORIZING THE RE-PLAT OF BLOCK 25 IN CREEDMOOR IN THE CITY OF CREEDE

Anne Pizel, co-owner of Broken Arrow Land Company, is representing the Block 25 property owners. Pizel explained that one hundred percent of these property owners are for the proposed re-plat of this block previously presented by Gary Hunt of Davis Engineering Services of Alamosa. Hunt explained to the property owners that "it works the way it is, so let's plat it out as it is and use it as it is." Their basic feeling is to work with the City within specific parameters. Questions were asked and answered. It was determined that two resolutions had to be drafted to accomplish this project.

Trustee Brink moved and Trustee Shepperd seconded to approve and adopt Resolution 07-05, authorizing the re-plat of Block 25, Creedmoor. There were four yeas and Trustee Owens recused herself. Mayor Seime declared the motion carried.

Trustee Brink moved and Trustee Wylesky seconded to approve and adopt Resolution 07-06, transferring property in Block 25, Creedmoor. There were four yeas and Trustee Owens recused herself. Mayor Seime declared the motion carried.

LIQUOR LICENSE RENEWAL – THE OLD FIREHOUSE – HOTEL & RESTAURANT LICENSE

Trustee Shepperd moved and Trustee Nagy seconded to approve the renewal of this liquor license. There were four yeas and one nay (Wylesky). Mayor Seime declared the motion carried.

LIQUOR LICENSE RENEWAL – CASCADA BAR & GRILL – HOTEL & RESTAURANT LICENSE

Trustee Nagy moved and Trustee Shepperd seconded to approve the renewal of this liquor license. There were four yeas and one nay (Wylesky). Mayor Seime declared the motion carried.

MODIFICATION OF PREMISES – ARCHIBALD’S EXCHANGE D/B/A MAC’S OLD MINE

Trustee Shepperd moved and Trustee Wylesky seconded to approve the requested modification of premises for Mac’s Old Mine located at 105 N. Main Street in Creede. The vote was unanimous. Mayor Seime declared the motion carried.

MODIFICATION OF PREMISES – KIP AND KIM NAGY D/B/A KIP’S GRILL

Trustee Shepperd moved and Trustee Wylesky seconded to approve the requested modification of premises for Kip’s Grill located at 101 E. Fifth Street in Creede. The vote was unanimous. Mayor Seime declared the motion carried.

APPROVAL OF LETTER FOR AUDIT SERVICES FROM WALL, SMITH, BATEMAN AND ASSOCIATES, INC.

Trustee Owens moved and Trustee Wylesky seconded to approve this letter for audit services and to authorize the Mayor to sign it. The vote was unanimous. Mayor Seime declared the motion carried. The Town Treasurer will extend the Board’s request to the auditors for a preliminary audit report with ample time to review it before the audit presentation. The City attorney made the Board aware of a suggestion to consider for changing auditors every seven years.

The administrative staff will provide the Board of Trustees with a quarterly cash flow report in April, July, October and January.

DONATION FOR *ALIVE AT 25* CLASS

Trustee Wylesky moved and Trustee Brink seconded to authorize a fifty dollar donation to the Mineral County Sheriff’s Office to help pay for an upcoming *Alive at 25* driving class. The vote was unanimous. Mayor Seime declared the motion carried.

RESOLUTION 07-02 – AUTHORIZING A PETITION FOR ADVERSE ABANDONMENT

The Town Board agreed that this draft resolution should be discussed further at their February work session. The Board set Thursday, February 22<sup>nd</sup>, at 5:00 p.m. for their work session and made Don Shank aware of this date.

RESOLUTION 07-03 – AUTHORIZING A 15% WATER AND WASTEWATER DISCOUNT TO QUALIFIED SENIOR CITIZENS

Trustee Owens moved and Trustee Wylesky seconded to approve and adopt Resolution 07-03, authorizing a fifteen percent water and wastewater discount to qualified senior citizens. The vote was unanimous. Mayor Seime declared the motion carried. This discount will become effective for the February billing at the end of this month.

RESOLUTION 07-04 – AGREEMENT FOR A GREAT OUTDOORS COLORADO (GOCO) GRANT FOR THE SKATE PARK

Trustee Shepperd moved and Trustee Brink seconded to approve and adopt Resolution 07-04, supporting the agreement between the City of Creede, a Colorado Town and the State Board of the Great Outdoors Colorado Trust Fund as amended and to authorize the Mayor to sign the contract for the GOCO funds. The vote was unanimous. Mayor Seime declared the motion carried.

TRUSTEE WYLESKY'S RESIGNATION FROM THE PLANNING AND ZONING COMMISSION

In light of Trustee Wylesky's resignation from the Planning and Zoning Commission, Trustee Owens moved and Trustee Wylesky seconded to nominate Trustee Shepperd to replace Trustee Wylesky as an ex officio member of the Planning and Zoning Commission due to his previous experience on that commission. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Shepperd asked the Board for direction for that commission that he can take with him to the next meeting. Mayor Seime, also a commission member, said that he would like to see the direction the next meeting takes before deciding his next action. The single sentence "Vision and Intent" statement was discussed with the Board members. The City attorney reminded the Board they are the final approval of this revised document. The Board agreed that the Land Use Code was adopted with the intention of having the Planning Commission revise it to make it more applicable to Creede, but not to re-write the document. City attorney, Gibbons has been directed to look at the legal options to change the structure of the Planning and Zoning Commission. Gibbons will provide this information by the April meeting as he will not be present at the March Town Board meeting.

CITY MANAGER'S REPORT

The points discussed and the actions taken were as follows: Administrative direction was given to City Manager Dooley, that if the Creede Arts Council accepts an offer made to them for use of space in the Art Park for an ATM by Pine River Valley Bank, Dooley is to get a copy of the lease between the City and the Bank for the use of the park and get the City attorney's approval and to have the Mayor sign the document.

The Town Board will address the Muley's Trash Contract in a future work session when Jon Graham can be present as well.

There was a discussion with Keith Siddel of Mineral County Economic Development, Inc. (MCED) to continue negotiations on a construction agreement. Siddel is looking forward to moving forward so he can install the water and sewer lines the Board is requiring. Mayor Seime and Trustee Shepperd will meet this Friday morning with Siddel to discuss what the Board has agreed to and working toward moving forward.

The Town Board has agreed to have their monthly work session at 5:00 p.m. on Thursday, February 22, 2007.

This report had other informational only items in it as well.

ADJOURN

There being no further business to come before the Board at this time, Trustee Brink moved and Trustee Nagy seconded that the meeting be adjourned at 10:02 p.m. The vote was unanimous. Mayor Seime declared the motion carried.

Respectfully submitted:

Approved by Board of Trustees:

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Pamela J. Wilson, City Clerk/Treasurer

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Eldon M. Seime, Mayor