

**BOARD OF TRUSTEES  
CITY OF CREEDE, COLORADO - A TOWN  
September 1, 2015**

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 5:30 p.m. There being present at the call of the roll the following persons:

TRUSTEES PRESENT: Kay Wyley, Catherine Kim, Eric Grossman, Teresa Wall, Molly McDonald, Heather DeLonga

Mayor Grossman, presiding, declared a quorum present.

Those members of staff also present were as follows: Clyde Dooley, Manager  
Randi Snead, Clerk/Treasurer

REVIEW AGENDA

An executive session to discuss the acquisition of a real property interest under C.R.S. §24-6-402(2)(a) and for the purpose of a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(2)(e) concerning the LaGarita Gym was added as item XI.b. Trustee DeLonga moved and Trustee McDonald seconded to approve the agenda as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE AUGUST 4, 2015 MINUTES

A correction was made to a motion in the minutes. Trustee McDonald moved and Trustee DeLonga seconded to approve the August 4, 2015 as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

CONSIDER LETTER(S) OF INTEREST TO FILL TRUSTEE VACANCY

Letters of interest to fill the vacancy were received from Lori Dooley and Edward Vita. By secret ballot, Lori Dooley received five (5) votes for the trustee position and Edward Vita received zero votes (0). Trustee Wall moved and Trustee McDonald seconded to appoint Lori Dooley to fill the vacancy on the Board of Trustees. The vote was unanimous. Mayor Grossman declared the motion carried.

The trustees confirmed that runner-up Edward Vita was interested in serving on the Planning & Zoning Commission. Trustee Wyley moved and Trustee wall seconded to appoint Edward Vita the Planning & Zoning Commission. The vote was unanimous. Mayor Grossman declared the motion carried.

SWEARING IN CEREMONIES FOR THE NEWLY APPOINTED TRUSTEE

Trustee Elect, Lori Dooley, stood, raised her right hand, and repeated the oath of office for trustee as dictated by Clerk Snead. Dooley signed her oath of office, and then took her seat on the Creede Town Board.

CONSENT AGENDA

The consent agenda contained the following items:

- a. Review/Consent of August 2015 Check Detail Report
- b. Approve/Disapprove September 1, 2015 Unpaid Bills Report [Available 9/1/15]
- c. Approve/Disapprove Special Event Permit - Elks 9/19/15
- d. Approve/Disapprove Parade Permit - RPD 9/24/15
- e. Approve/Disapprove Special Event Permit - RPD 9/24/15
- f. Approve/Disapprove Special Event Permit - Elks 9/12/15

Trustee Wyley moved and Trustee DeLonga seconded to approve the consent agenda as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

REPORTS AND PRESENTATIONS

PUBLIC WORKS REPORT

Public Works Director, Ben Davis reported on the following items:

- Work related to providing water service at Creede Schools has been completed.
- The crew has assisted with several private line improvements.
- State mandates and upcoming CDPHE negotiations have created a big increase in water and wastewater testing, causing a significant increase in staff time and testing costs.
- Some improvements have been made to the Basham Park bathroom facilities and some renovations are planned for the Baseball Park bathrooms in the spring of 2016.
- Questions were answered about repairs to the city truck and chlorine limits in city water, and Ben was given thanks for the Public Works department moving a structure at Silver Ice Park.

#### LOWER WILLOW CREEK RESTORATION COMPANY REPORT

Mayor Grossman reported that the LWCRCo hosted a public meeting as required by the Brownfields grant to select a cleanup option. As previously discussed, a plan for a partial cap with soil amendments was selected.

#### MAYOR GROSSMAN'S REPORT

Mayor Grossman reported on the following items:

- CDOT is unable to procure a pedestrian bridge on 7<sup>th</sup> Street at this time.
- He traveled to Denver to meet with Cory Gardener.
- He reported on the Willow Creek Reclamation Committee's recent meeting.
- He requested that the Board of Trustees support Good Sam Legislation.
- He announced that Rural Philanthropy Days was taking place September 23-26, 2015.

#### WRITTEN REPORTS

Written reports were received and filed from Recreation and the Building Inspector.

#### OLD BUSINESS

##### APPROVE/DISAPPROVE CRT EASEMENT AGREEMENT

Questions were asked about agreement terms, dates and rental amount discrepancies within the agreement. Dooley will review the agreement and bring back to the Board for approval at a later date.

##### REVISIT RECYCLE CREEDE LEASE

The Recycle Creede Lease was discussed at length. Dooley was asked to work up a possible rental amount for the parcel and will invite representatives to discuss issues at the upcoming work session.

##### APPROVE/DISAPPROVE SIMON BOUNDARY AGREEMENT

Trustee Dooley moved and Trustee Wyley to approve the Simon Boundary Agreement as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

##### SCHEDULE PUBLIC HEARING SIMON REPLAT NOVEMBER 3, 2015

Trustee Wall moved and Trustee McDonald seconded to schedule a public hearing for the Simon Replat November 3, 2015. The vote was unanimous. Mayor Grossman declared the motion carried.

#### MANAGER'S REPORT

**Schedule a Public Hearing:** Trustee McDonald moved and Trustee DeLonga seconded to schedule a public hearing to consider Ordinance 388 annexing the lagoon property for October 6, 2015. The vote was unanimous. Mayor Grossman declared the motion carried.

**Hydro Study:** Questions were asked about pursuing a Hydrology Study. Dooley is gathering quotes and information.

#### EXECUTIVE SESSION

EXECUTIVE SESSION FOR MEETING WITH TOWN ATTORNEY TO RECEIVE LEGAL ADVICE PURSUANT TO COLORADO REVISED STATUTE §24-6-402(4)(B) RELATED TO CITY OF CREEDE WASTEWATER DISCHARGE PERMIT #CO 0040533

Trustee DeLonga moved and Trustee McDonald seconded to move into executive session for meeting with Town Attorney to receive legal advice pursuant to Colorado Revised Statute §24-6-402(4)(b) related to City of Creede Wastewater Discharge Permit #CO 0040533. The vote was unanimous. Mayor Grossman declared the motion carried.

Trustee DeLonga moved and Trustee McDonald seconded to move into executive session to discuss the acquisition of a real property interest under C.R.S. §24-6-402(2)(a) and for the purpose of a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(2)(e) concerning the LaGarita Gym.

Trustee Dooley moved and Trustee McDonald seconded to move out of executive session. The vote was unanimous. Mayor Grossman declared the motion carried.

OLD BUSINESS

ACTION/DISCUSSION NEWTON GYM PURCHASE

After considerable discussion, Trustee McDonald moved and Trustee Kim seconded for the City of Creede to become the sole owner of the old school gym property and lease half of the operation and maintenance expenses to Mineral County. Mayor Grossman requested a roll call vote. The vote was as follows: Trustee Dooley: Yes. Trustee Wyley: No. Trustee Kim: Yes. Trustee Wall: No. Trustee McDonald: Yes. Trustee DeLonga: Yes. Mayor Grossman declared the motion carried.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Wyley moved and Trustee McDonald seconded that the meeting be adjourned at 7:46 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

SCHEDULE A PUBLIC HEARING

The Trustees reconvened to schedule a public hearing. Trustee DeLonga moved and Trustee McDonald seconded to schedule a Public Hearing to purchase the gym September 14, 2015. The vote was unanimous. Mayor Grossman declared the motion carried.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Wall moved and Trustee McDonald seconded that the meeting be adjourned at 7:48 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

/Randi Snead/  
Randi Snead, City Clerk/Treasurer