

**BOARD OF TRUSTEES  
CITY OF CREEDE, COLORADO – A TOWN  
May 7, 2013**

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: Elizabeth Zurn, Kay Wyley, Ed Skroch, Eric Grossman, Denis Powell,  
Teresa Wall, Heather DeLonga

Mayor Grossman, presiding, declared a quorum present:

Those members of staff also present were as follows:

Clyde Dooley, Town Manager  
Randi DePriest, Clerk/Treasurer  
Eric Heil, Town Attorney

REVIEW AGENDA

The date of a Private Event on the consent agenda was corrected. A liquor license renewal for Kip's Grill was added to the consent agenda. Trustee Zurn moved and Trustee Powell seconded to approve the agenda as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

CONSENT AGENDA

The consent agenda contained the following items:

- a. Approve/Disapprove April 2<sup>nd</sup> & April 16<sup>th</sup> 2013 Minutes
- b. Review/Consent of previously paid disbursements as listed on the April 2013 Check Detail Report
- c. Approve/Disapprove Professional Services Invoices (and others as necessary) for checks to be written May 8th, 15th and/or 31st and signed
- d. Approve/Disapprove Change High Country Hustle (approved 2/5/13) from 5/4/13 to 5/11/13
- e. Approve/Disapprove Parade Permit Snow Country Explorer Fundraiser July 6, 2013
- f. Approve/Disapprove Private Event Application-Taste of Creede, 5/25<sup>th</sup> & 26<sup>th</sup>
- g. Schedule Free Dump Day for May 18<sup>th</sup>, 2013

A name correction was made to the April 2, 2013 minutes. Trustee Skroch clarified that he had directed staff to include names in Building Inspector Reports and asked that it be reflected in the April 2, 2013 minutes. An attendance correction and a figure correction were made to the April 16, 2013 minutes. The board granted Snow Country Explorers a one-time waiver for listing the City of Creede as an additional insured on their special event insurance. Trustee Zurn moved and Trustee Wyley seconded to approve the consent agenda as amended. 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:

- A new work truck had been purchased per the 2013 budget. It works great and the guys really appreciate it.
- After conferring with the Parks Committee, Davis had decided to table the flagstone project at Basham Park until next year and to instead pursue several smaller projects that the Committee had in mind.
- Davis will begin researching how to best repair damage and potholes in our new asphalt.
- Davis will begin researching and planning to get crosswalks and other pavement markings finished.
- Trustee Zurn thanked Ben for responding to the Parks Committee well. Mayor Grossman asked Ben to attend the Historical Society meeting to help clear up communication regarding the kiosk in Basham Park.

OWER WILLOW CREEK RESTORATION COMPANY REPORT

Mayor Grossman assured the crowd that the walking path would be repaired and functional for the summer season and reminded everyone that the area is a work in progress and would take many years to complete.

MAYOR GROSSMAN'S REPORT

Mayor Grossman announced that he would be delivering a talk about Economic Development in Lake City this week.

INTRODUCTION OF DRAFT CREEDE LAND USE CODE AMENDMENTS – ERIC HEIL

Attorney Heil explained that the Land Use Code was nearing completion with exception to the complicated Article 6 and said the entire new code would be available for review soon.

WRITTEN REPORTS

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

PUBLIC HEARING AND RELATED ACTIONS

APPROVE/DISAPPROVE ORDINANCE 374 AUTHORIZING CITY OF CREEDE TO TRANSFER PROPERTY IN BLOCK 25, CREEDMOOR BY QUIT CLAIM DEED TO THOMPSON, ARCHIBALD, PIZEL

Mayor Grossman opened the public hearing to consider Ordinance 374 and related Resolutions. No correspondence had been received. Mayor Grossman closed the public hearing. Trustee Powell moved and Trustee Zurn seconded to approve Ordinance 374 Authorizing City of Creede to Transfer Property in Block 25, Creedmoor by Quit Claim Deed to Thompson, Archibald, Pizel. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE RESOLUTION 2013-06 RE-PLATTING LOT 11 IN BLOCK 25

Trustee Zurn moved and Trustee Powell seconded to approve Resolution 2013-06 Re-plattling Lot 11 in Block 25. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE RESOLUTION 2013-07 RE-PLATTING LOTS 12 & 13 IN BLOCK 25

Trustee Zurn moved and Trustee Powell seconded to approve Resolution 2013-07 Re-plattling Lots 12 & 13 in Block 25. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE RESOLUTION 2013-08 RE-PLATTING LOTS 14 & 15 IN BLOCK 25

Trustee Zurn moved and Trustee Powell seconded to approve Resolution 2013-08 Re-plattling Lots 14 & 15 in Block 25. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE ORDINANCE 375 PROHIBITING MARIJUANA ESTABLISHMENTS

Mayor Grossman opened the public hearing to consider Ordinance 375. No correspondence had been received. No one voiced support or opposition. Mayor Grossman closed the public hearing. Trustee Powell moved and Trustee Wall seconded to approve Ordinance 375 Prohibiting Marijuana Establishments. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE ORDINANCE 376 REDUCING DISTANCE FROM HOTEL & RESTAURANT CLASS LIQUOR LICENSES FROM SCHOOL TO 60 FEET

Mayor Grossman opened the public hearing to consider Ordinance 376. Written correspondence had been received from Avery Augur, included in permanent record, and forwarded to the board. He also voiced his support and requested that the board only reduce the distance to 100 feet. Dr. John Howard, School Board Chairman, communicated that the School Board is not opposing the reduction of distance. Betsy Strom voiced opposition. Scott Lamb and Mike Atwater had several questions for clarification. Attorney Heil clarified the liquor laws surrounding this issue for the board and the audience. Mayor Grossman closed the public hearing. Trustee Powell moved and Trustee DeLonga seconded to approve Ordinance 376 Reducing Distance from Hotel & Restaurant Class Liquor Licenses from School to 100 Feet. There were five yes votes and one no vote (Wall). Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE ORDINANCE 377 AMENDING MEMBERSHIP REQUIREMENTS TO THE PLANNING & ZONING COMMISSION

Mayor Grossman opened the public hearing to consider Ordinance 377. Manager Dooley and Attorney Heil presented the Ordinance and answered questions about it. No correspondence had been received. No one voiced support or opposition. Mayor Grossman closed the public hearing. Trustee Powell moved and Trustee Zurn seconded to approve

Ordinance 377 Amending Membership Requirements to the Planning & Zoning Commission (later clarified as Eric Heil's version received by board on 5/6/13). The vote was unanimous. Mayor Grossman declared the motion carried.

OLD BUSINESS

APPROVE/DISAPPROVE EASEMENT AGREEMENT TOMKINS GIFTS & GAS

Trustee Wall moved and Trustee Powell seconded to approve the Easement Agreement with Tomkins Gifts & Gas. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE EASEMENT AGREEMENT TOMKINS KIP'S GRILL

This item was tabled until the owner had considered the agreement.

NEW BUSINESS

APPROVE/DISAPPROVE 2013 SPRING CYCLE VIRGINIA CHRISTENSEN RECOMMENDATIONS

Trustee Zurn disclosed that she was employed at one of the organizations requesting funding. Questions were asked and answered regarding an applicant that was not funded. Trustee Powell moved and Trustee Wall seconded to approve the 2013 Spring Cycle Virginia Christensen Recommendations as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

MANAGER'S REPORT

The items discussed and the actions taken in the Town Manager Dooley's Report were as follows:

**RGSI Permit Receipt:** Manager Dooley presented to the board and acknowledged receipt of a Notice from the State of Colorado that Rio Grande Silver had applied to amend their Mining Permit. A copy of the letter was filed for the permanent record.

**Vest 3<sup>rd</sup> Street Tree:** Dooley let the board know that Attorney Heil would be contacting Mike Green's attorney to try and remedy the situation.

**Corner Store Shed:** Dooley asked for and was given direction to move one of the smaller Corner Store buildings to the hockey pond for storage.

**Retreat:** Dooley suggested that the Board of Trustees has a retreat soon as it had been several years since the last one. The Trustees agreed to schedule it at the upcoming work session.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Zurn moved and Trustee Powell seconded that the meeting be adjourned at 6:45 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

  
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Randi DePriest, City Clerk/Treasurer