



AGENDA
REGULAR MEETING LA JUNTA CITY COUNCIL
La Junta, Colorado
January 3, 2023
6:00 PM
Council Chambers
Municipal Building
601 Colorado Avenue

CALL TO ORDER (Mayor Ayala)

INVOCATION (Mayor Ayala)

PLEDGE OF ALLEGIANCE (Mayor Ayala)

ROLL CALL (City Clerk)

Council Members

Supervisors

Others

Ramirez
Velasquez
McIntyre
Ayala
Ochoa
Vela
Pantoya

MINUTES OF PREVIOUS MEETINGS (Mayor) (Action)
Regular Meeting December 19, 2022

CITIZEN PARTICIPATION FOR NON-AGENDA ITEMS ONLY *(5-minute time limit per person)*

NEW BUSINESS

A. Annual Resolutions (City Attorney) (Action)

1. Posting of Open Meetings
2. Designating Official Depositories for City Funds
3. Offenses against City Property
4. Publication of Legal Notices
5. Designating Enterprise Funds

B. Board Appointments (Mayor) (Action)

1. Appoint Karen Martinez to the La Junta Housing Authority – term to expire 12/31/2027
2. Reappoint Lorna Miller to the La Junta Housing Authority – term to expire 12/31/2027
3. Reappoint Michael Meier to the Library Board – term to expire 12/31/2025
4. Reappoint Sara Holt to the Library Board – term to expire 12/31/2025
5. Reappoint Barbara Rains to the Sr. Citizens Advisory Board – term to expire 12/31/2025

C. Committee/Board Reports

D. City Manager's Comments

E. City Attorney's Comments

AVRMC Joint meeting with the City Council

F. Governing Body Comments

G. ADJOURN

STATE OF COLORADO)
COUNTY OF OTERO) SS
CITY OF LA JUNTA)

*Subject to approval at
the January 3, 2023
City Council Meeting*

CALL TO ORDER: A regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Ayala on Monday, December 19, 2022, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Council Member McIntyre gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Ayala led everyone in the Pledge of Allegiance.

ROLL CALL: The following Council Members were present:

Damon Ramirez, Ward 1
Paul Velasquez, Ward 1
Elaine McIntyre, Ward 2
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: none

Also present: Rick Klein, City Manager
Bill Jackson, Asst. City Manager
Phil Malouff Jr., City Attorney
Melanie Scofield, City Clerk
Paula Mahoney, Admin. Asst.
Aliza Libby, Director of Finance
Gary Cranson, UB Commissioner
Mike Bourget, La Junta
Michael Ada, Virtual Dispensary
Michael Berruti, Virtual Dispensary
Brandon Buloy, Virtual Dispensary
Bette McFarren, RF Gazette

MINUTES OF PREVIOUS MEETING: Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of December 5, 2022. After hearing none, the Mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE DECEMBER 5, 2022 MINUTES AS PUBLISHED: Ochoa

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

CITIZEN PARTICIPATION FOR NON-AGENDA ITEMS (5-minute time limit per person):

1. Mike Bourget, 2411 Santa Fe Avenue: Questioned why the city purchased Armor Sheet Metal. City Manager Klein explained that Mr. Giltner was going out of business and nobody showed any interest, so he approached the city. He was going to train the city on how to maintain the HVAC systems in the city buildings. Unfortunately, he passed away before this could happen. If someone were interested in the building, they may contact Mr. Klein.

VIRTUAL DISPENSARY: A CLEAN OPTION TO COLLECT CANNABIS SALES TAX. Mr. Michael Ada for Fifth ACE, LLC d/b/a The Jive Hyve gave a presentation on La Junta's cannabis alternative. They are a licensed cultivator, dispensary and transporter in Ordway and are the first fully virtual dispensary in Colorado. They offer MED compliant online ordering and delivery system providing customers with privacy and security. Currently, La Junta does not permit cannabis adult-use retail marijuana outlets per Ordinance No. 1536. However; it is permissible for a La Junta resident to drive to another jurisdiction to purchase and transport cannabis to their residence. As permitted by Colorado Marijuana Enforcement Division (MED) regulations, cannabis delivery has been permitted in response to the COVID-19 pandemic effective January 1, 2022. Benefits to La Junta would be: no need to license a physical dispensary and incur associated expenses, receive tax revenues associated with delivery sales into the jurisdiction, and reduction of risks of residents driving impaired while transporting cannabis purchases back into La Junta.

NEW BUSINESS

- A. **Application for Renewal of a Lodging & Entertainment Liquor License by Yak and Yeti Hotel Inc., d/b/a Yak and Yeti, 1325 E. 3rd Street.** The application is in order and has been reviewed by City supervisors for compliance with City and State codes. Appropriate fees have been tendered and the City Attorney recommends approval.

MOTION TO GRANT A RENEWAL OF A LODGING & ENTERTAINMENT LIQUOR LICENSE BY YAK AND YETI HOTEL INC., D/B/A YAK AND YETI, 1325 E. 3RD STREET: McIntyre

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

B. Committee/Board Reports

1. Recreation Advisory Board (Council Member Ramirez):
 - There are 94 participants in the K-2 basketball and 102 participants in the 3rd-6th basketball.
 - Brick & Tile Park has slow progress due to the weather.
 - Cynthia Nieb is looking into grants for the tennis courts/caretakers house at City Park.
 - Replaced bleachers at Potter Park. The cost was shared between the City and the School.
 - Discussed budget cuts.

C. City Manager's Comments

- Fire Stage 1 fire restrictions.
- The San Juan Avenue and 14th Street project is finished.
- The water main and repaving on the 2100 block of Belleview is complete except for helping on some curb cuts.
- Working with Supervisor's on reducing the general fund by 24% since the 1% went down.
- The workforce housing project at 4th & Hayes and 1318 Lewis has started. The houses should be built by this summer.
- The Christmas Dinner will take place on Thursday, December 15th at noon at the Senior Center. The entertainment will be Mr. Tim & the Denver Dolls. In January, dances will start again.
- Park staff will start removing dead trees at the City Park and Pond.
- A new storage container was placed at Live Well Park.
- K-2 basketball has started.
- The Columbarium for the cemetery will finally ship.
- Carlos Triana graduated from the Law Academy and has started his FTO process and our new Deputy Police Chief is Scott Copley.
- A new tack trailer was purchased along with a crack seal machine. We are working on acquiring the necessary equipment to pave with our crews.
- There was a water line break in the 400 block of Bradish Avenue. It was an older 12" cast iron main.

- The R.O. Plant installed a new chlorine tank. We fixed a coolant leak on the generator in the west well field.
- The Waste Water department repaired 12 sections of sewer main and repaired two taps.
- Brian Hill was hired for the Distribution Crew.
- Alvin Gallegos was hired on at the Senior Center Transit as a bus driver.
- The South Booster station is coming along ahead of schedule.
- The crew is still putting up Christmas lights. We assisted the hospital on the tree at 10th and Carson Avenue.
- Turned in my article to CML.

D. Governing Body Comments

1. Council Member Vela:
 - Our council was well represented in the Picketwire play. We had Emma and the fake Santa starring in roles with their kids and grandkids. Everyone had good costumes.
 - For the employee Christmas Dinner, Councilman Velasquez gave his gift back for someone else to draw for it.
 - The Picketwire is currently looking for volunteers from directors to janitors.
2. Council Member Velasquez:
 - Want to thank the Employee Association for hosting a beautiful Christmas dinner. Merry Christmas to everybody.
 - With this upcoming cold snap that we're going to have, let's look after our neighbors.
3. Mayor Ayala:
 - We talk about animals being brought in, there are some homeless people in our community as well. I hope they find somewhere to go for shelter.
 - You all received an email and a print out for the evaluation scoring for Mr. Klein. Some things will have to be ironed out but I wanted you to have this early before the work session.
 - Discussion on how Mr. Malouff's and Mr. Manley's contracts work.
 - Thanked every member of the council. You guys have made it a pleasure to come to these meetings and do the work for the city. Next year will be tough but we're up for the challenge.
 - Looking forward to the work session on the budget.
 - There are some board appointments coming up. Urban Renewal is a Mayor appointment. We will look at that very closely this year.
 - As Mayor, there are things I can do and there are things I cannot do. Get involved by showing up here and getting your voice heard.
4. Council Member Vela:
 - I am a NO on the Ark Valley Conduit.

There being no further business, the meeting adjourned at 7:19 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor

January 3, 2023
City Manager Comments

The Water Department was busy thawing frozen services last week.

Cold temperatures caused other problems with frozen services and heating units for Property Management.

The warming shelter was open through the holiday at the Armory. A Big thanks to all of the volunteers that helped staff the shelter and feed the folks staying there. Also, thank you to the citizens of the La Junta that donated items to help the folks staying at the Armory.

RESOLUTION NO. R-1-2023

A RESOLUTION CONCERNING THE POSTING OF OPEN MEETINGS

WHEREAS, public can not exercise its right to attend open meetings unless sufficient notice is provided to its citizens; and

WHEREAS, the Open Meetings Law requires the public to receive full and timely notice of any meetings held; and

WHEREAS, the Open Meeting statute (24-6-402) provides in part as follows:

Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

BE IT THEREFORE RESOLVED that the City Council of the City of La Junta, the Board of Utility Commissioners, the Planning Commission of the City of La Junta, the Airport Advisory Board, the Urban Renewal Authority, the Tourism Board, and any other advisory boards which have been created by Ordinance and which are required by ordinances of the City of La Junta to comply with the open meetings law shall comply with this Resolution.

BE IT FURTHER RESOLVED that notice of the meetings shall be issued by the Clerk of the City of La Junta.

BE IT FURTHER RESOLVED that designated place for posting of the meetings shall be the main foyer of the City Building, located at 6th and Colorado, La Junta, Colorado.

ADOPTED this 3rd day of January, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-2-2023

BE IT RESOLVED by the City Council of the City of La Junta that the following are hereby designated as official depositories for the various funds for the City of La Junta for the calendar year 2021:

1. The Colorado Bank & Trust Company of La Junta;
2. State Bank and Trust Company of La Junta;
3. TBK Bank;
4. First National Bank of Las Animas and La Junta;
5. U.S. Bank.

Whenever investment circumstances exist that prohibit banks from accepting City funds as deposits without requiring deposit fees be paid by the City, the City Manager or his designee, is authorized to locate other financial institutions; provided however that all funds be maintained in a federally insured account and all funds must be fully insured by the FDIC.

ADOPTED this 3rd day of January, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-3-2023

BE IT RESOLVED by the City Council of the City of La Junta that it shall be the policy of this Council that all discovered or reported offenses against the property of this City shall be referred to the appropriate law enforcement agency in this county for such action as may be deemed proper.

ADOPTED this 3rd day of January, 2023.

CITY OF LA JUNTA

ATTEST:

Joseph Ayala, Mayor

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-4-2023

BE IT RESOLVED by the City Council of the City of La Junta that all legal notices required to be published by the ordinances of the City of La Junta shall be published in the La Junta Tribune-Democrat, a paper of general circulation within the City of La Junta.

ADOPTED this 3rd day of January, 2023.

CITY OF LA JUNTA

ATTEST:

Joseph Ayala, Mayor

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-5-2023

WHEREAS, the Taxpayer's bill of Rights anticipates that certain City enterprises are exempt from the provisions of the Taxpayer's Bill of Rights; and

WHEREAS, the Taxpayer's Bill of Rights defines the criteria upon which an enterprise becomes exempt from the operative provisions of the Taxpayer's Bill of Rights; and

WHEREAS, it is the belief of the City of La Junta that certain operational funds within its control are "enterprises" as defined by the Taxpayer's Bill of Rights.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. That the following City of La Junta funds are considered to be "enterprises" as used within the Tabor Amendment:

- a. Electric Fund;
- b. Sewer Fund;
- c. Water Fund;
- d. Sanitation Fund;
- e. Property Management Fund.

ADOPTED this 3rd day of January, 2023.

CITY OF LA JUNTA

ATTEST:

Joseph Ayala, Mayor

Melanie R. Scofield, City Clerk