

CITY COUNCIL MEETING – January 6, 2025

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

CALL TO ORDER: The regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Ayala on Monday, January 6, 2025, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Mayor Ayala 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
Jeremiah Stoker, Ward 2
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Lisa Pantoya, Ward 3
Maureen Rikhof, Ward 3



Subject to approval at the
January 21, 2025
City Council Meeting

Absent: None

Also present: Brad Davidson, Interim City Manager
Bill Jackson, Asst. City Manager
Erin Harris, City Attorney
Melanie Scofield, City Clerk
Aliza Libby, Director of Finance
Paula Mahoney, Admin. Asst.
Tom Seaba, Director of Water/Wastewater
Jennifer Hinkhouse, Director of Purchasing
Josh Harris, La Junta
Everett Ediger, La Junta
Matt Owens, La Junta
Adrian Hart, SECO News
Bette McFarren, RF Gazette

MOTION TO GO INTO EXECUTIVE SESSION 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(4)(e): Ochoa

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

The Council went into Executive Session at 6:05 p.m. and reconvened at 6:35 p.m.

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 16, 2024. Hearing none, the mayor asked for a motion to approve the minutes as published.

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MOTION TO ACCEPT THE DECEMBER 16, 2024 MINUTES AS PUBLISHED: Ochoa

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

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

1. Aliza Libby, Director of Finance: The Utility Department new hours are Monday – Thursday from 7:30 a.m. to 4:30 p.m. and Friday from 7:30 a.m. to 11:00 a.m. Due to the change of hours, utility bills due Friday, January 10th are now due on Monday, January 13th. Utility bills of any kind will not be due on a Friday, Saturday, Sunday, or Holiday. It will go to the next business day. Please utilize the online portal or the two available night drops.

UNFINISHED BUSINESS

- A. **City Manager Search.** The Mayor thanked those on the Selection Committee: Gary Addington, Megan Bender, MJ Romano, Lisa Pantoya, Andy Flemer, and Christina Tozzie. They gave their time to help with numerous interviews. The Selection Committee unanimously selected Michael Hart and presented him as their pick for City Manager. The Council agreed.

MOTION TO EXTEND AN OFFER OF EMPLOYMENT TO MICHAEL HART: Pantoya

SECOND: Rikhof

DISCUSSION: Council Member Stoker believes this is a good decision; however, wished they had focused more on who they currently had with Brad Davidson.

VOTE: The motion carried 7-0

- B. **Second Reading/AN ORDINANCE AUTHORIZING A LOAN FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY TO THE CITY OF LA JUNTA ACTING BY AND THROUGH ITS WATER ENTERPRISE IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$300,000.00 TO FINANCE A PORTION OF THE DESIGN AND ENGINEERING COST OF A CERTAIN WATER RESOURCE PROJECT; AUTHORIZING THE FORM AND EXECUTION OF THE LOAN AGREEMENT AND A GOVERNMENTAL AGENCY BOND TO EVIDENCE SUCH LOAN; DELEGATING TO CERTAIN AUTHORIZED OFFICERS THE AUTHORITY TO DETERMINE, WITHIN CERTAIN PARAMETERS, CERTAIN FINANCIAL MATTERS PERTAINING TO THE LOAN; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: Rikhof

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

REPORTS

- A. **Speed Trailer.**

Mayor Ayala: There's a solar paneled speed trailer right across from O'Reillys. It is capturing your speed and license plate. This is a trial run. This came up about two months ago in an article I read about speed trailers to help combat people speeding through town. Mrs. Hinkhouse reached out to a couple of companies and got this speed trailer. There are costs associated with this. Some of it should be recouped, some of it may not. It's something I think we need to talk about as a council before we go any further with it.

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Jennifer Hinkhouse: This particular program, there's a flat fee of \$3,500.00. With that fee, you would get data assessment and citation management. At 500 citations, we would be assessed another \$1,000.00. You would need to find that sweet spot to not lose money. The citation per state law has a maximum of \$50.00 in a general traffic area and \$80.00 in a hospital and school zones. There is only a 40-50% pay rate in our area, this half of the state. There is a 5-year commitment that can be reassessed at a year because Tabor law says this money has to be budgeted.

NEW BUSINESS**A. Annual Resolutions**

1. **Posting of Open Meetings.** Resolution No. R-1-2025 was presented for Council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-1-2025: Rikhof

SECOND: Pantoya

DISCUSSION:

Council Member Rikhof: Last year we talked about, that it would be putting also on the website. That it would be posted in the foyer and at that time, we said we didn't know. It was unclear if that would satisfy the requirements of this particular annual resolution. Do we know if there's any clarification about that?

City Attorney Harris: I think what we talked about was that we would want to make it a duplicate. We certainly could make reference here in the resolution that we would do it both places. But I think ideally, it would be that we posted in the foyer and then that we make a practice of also putting it on the website. That way we're official and making it available in other places. I don't know the progress of adding it to the website but my general concern is that we have had dialogue, for the time that I've been here, about changes made on the website and I'm not sure that that is as reliable as knowing that we're following a process that's here. But I certainly would agree that we could do it in addition to.

Council Member Ramirez: I would make note in following up with that, if it was on the city website that, to my last attempt to see the website is not available through Google, which is a major search. So that wouldn't even be accessible anyway.

Interim City Manager Davidson: We're aware of that. They're trying to work with it and figure out why you can't just type it into Google like you should on everything else. That's a glitch on the search engine side.

Council Member Rikhof: MOTION TO AMEND RESOLUTION NO. R-1-2025 . . .

Mayor Ayala: We would, we already have a motion and a second.

Council Member Rikhof: Yes, I'm making an amendment to the motion.

City Attorney Harris: I think we would have to vote it down as it is now and then amend it and put it up again.

Council Member Rikhof: I don't think so. I think you . . . it has to be being considered to be able to make an amendment. You can't make an amendment before it's being considered.

City Attorney Harris: I will admit that I don't have enough specific knowledge to know how that works but what it would appear to me is that if it's been moved and seconded in its current state, there may have been folks who would have voted the other direction. Certainly, it sounds like we could go ahead and do it that way tonight and we can double check or if the group wants to clarify. The thing is these do need to be adopted at some point within the first month of the year.

Council Member Rikhof: We can check parliamentary procedure on the process.

City Attorney Harris: Sure, I just don't happen to have the book right here.

Council Member Rikhof: Okay.

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City Attorney Harris: And if you want to make the amendment now and then we can retract, that is also an option because it doesn't mean that we don't do the work today. It would just mean that if we discovered later that we could not make an amendment through that method, then we would have to go backward. But I don't, I don't know and I'm not prepared with a document to be able to state whether your method is correct or not. I think that one statement I would just make is if we amend the official resolution that it must, that the posting is official when placed on the website. We would just want to make it clear that it would I think . . . are, was your amendment going to be that we would add that to this or that it would be done as an alternative to?

Council Member Rikhof: No, amending to add the words, "and on the city website" after the last period and be it further resolved. So, just adding five words.

City Attorney Harris: I think it would be up to council. I'm not able to render an opinion about how the parliamentary procedure works. I think it would be fine to vote on it this way and I can get back to you once I can look and I don't have that available to me right now.

Mayor Ayala: Is there any other discussion on the current motion?

VOTE: Those voting YES: Ramirez, Velasquez, Ochoa, Pantoya

Those voting NO: Stoker, Ayala, Rikhof

VOTE: The motion carried 4-3

2. **Designating Official Depositories for City Funds.** Resolution No. R-2-2025 was presented for Council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-2-2025: Ochoa

SECOND: Stoker

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

3. **Offenses against City Property.** Resolution No. R-3-2025 was presented for Council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-3-2025: Velasquez

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

4. **Publication of Legal Notices.** Resolution No. R-4-2025 was presented for Council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-4-2025 WITH THE AMENDMENT OF ADDING "AND THE CITY WEBSITE" AFTER CITY OF LA JUNTA, AT THE END OF THE PARAGRAPH: Rikhof

City Attorney Harris: Generally, when we're talking about a publication, electronic means of publication are not generally made available within the law and the way that this publication is done. The reference to publication here is not done the same way as a website would. If we were to do that, we'd be making a tremendous change where official legal notices are posted. They are posted on paper. There is not a precedent for putting them on some other kind of electronic basis. Adding it would be interesting because what we're talking about here are legal notices that can include lots of different long form various discussions. I would question whether we want to have a resolution that requires the inclusion of that. There has been dialogue in the past about whether or not the Tribune Democrat was the appropriate paper to use because they do not publish as frequently. But, when that dialogue came up, there was a discussion of another printed document that could be used in the alternative such as the Rocky Ford Daily

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Gazette. There has never been a time that those kinds of notices were placed in an electronic only format versus one that is written

THERE WAS NO SECOND/MOTION DIES

MOTION TO ADOPT RESOLUTION NO. R-4-2025 AS PRESENTED: Stoker

SECOND: Velasquez

DISCUSSION:

Council Member Rikhof: Last year, we had the sale of several properties that came before the council that there was question about how widely the different notices were being distributed and we had the conversation at the time that we probably needed to come up with a better way to communicate with the public about public notices.

City Attorney Harris: After that dialogue, I did go speak with Miss Hinkhouse. Our dialogue during that meeting was that putting up “For Sale” signs on the particular properties was the most transparent and the most likely to be treated as though a property was for sale. Looking at it the way all other property sales are made available and known. There was not dialogue with Miss Hinkhouse at that time concerning extending a listing like this. Certainly, I don’t know that anyone would be opposed to putting up signs but I don’t believe that there’s been anything more than that informal dialogue that I did have with Jennifer.

Council Member Rikhof: Did the policy change from the last time we had this conversation at council about surplus property?

City Attorney Harris: This is a difference of policy versus practice. I don’t believe there was ever a policy that had to do with how these land plots were being made available. I believe that it was practice where it had been listed there because that was the traditional method. Once you brought that up during that meeting, I did go speak with Jennifer and as far as I understand, the new practice has been to put up signs. I’m not aware of another piece of land that has been for sale but I know that was the dialogue and the expectation at that time.

VOTE: Those voting YES: Ramirez, Velasquez, Stoker, Ayala, Ochoa, Pantoya

Those voting NO: Rikhof

The motion carried 6-1

5. **Designating Enterprise Funds.** Resolution No. R-5-2025 was presented for Council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-5-2025: Stoker

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- B. Application for Renewal of a Fermented Malt Beverage & Wine Liquor License by Mini Mart Inc., d/b/a Loaf’n Jug #750013, 918 W. 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 Clerk recommends approval.

MOTION TO GRANT A RENEWAL OF A FERMENTED MALT BEVERAGE & WINE LIQUOR LICENSE BY MINI MART INC., D/B/A LOAF’N JUG #750013, 918 W. 3RD STREET: Ramirez

SECOND: Rikhof

DISCUSSION: There was no discussion

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VOTE: The motion carried 7-0

C. Committee/Board Reports

1. Senior Citizens Advisory Board (Council Member Velasquez):
 - Board meeting will be this Thursday at 10:00 a.m. All are welcome to attend.
2. Mayor Ayala:
 - The Tourism Board can have one member as the mayor and the other member as the city manager or designee.
 - The Library Board has five members and one of them is the city manager or designee.

D. Interim City Manager's

- The Calvary Church located at 5th and Colorado Avenue is going to open as a warming shelter starting today at 4:00 p.m. until the 8th at noon. They're looking for some volunteers.
- Supervisors will begin working on their annual reports that will be due the first week of February.
- The Line Crew started working on getting the decorations down. Because of the weather, they still have the downtown to work on. Please use caution when driving while the crew is working downtown.
- Wastewater is moving forward with trying to secure the screw press for the sludge removal.
- The Library started its new Saturday hours this week, they'll be open from noon – 4:00 p.m.
- All other departments have also started their new hours.
- The City Building is open 7:30 a.m. – 5:00 p.m. Monday through Thursday and 7:30 a.m. – 11:30 a.m. on Friday.
- We were notified that we were awarded a grant through CDOT for \$250,000 for the design phase of the bridge replacement at 3rd and Anderson.
- January 1st, the State of Colorado started the hands-free driving. All of the departments are looking at making sure their staff are equipped with blue tooth devices.
- Spoke about the tents that have been erected in the area.

E. Governing Body's Comments

1. Council Member Rikhof:
 - 2nd Monday, Ward 3 Listening and Tour will be this coming Monday the 13th. Thanks to Ward 3 citizen Dottie Burnett for the space to use at Casa del Sol.
 - Consider taking advantage of curbside recycling with Clean Valley Recycling. It's \$9.00/month. In 2024, Clean Valley Recycling diverted 873 tons of material from our county landfill. That's equivalent to 43 semi-loads. The Producer Responsibility Policy in Colorado is changing things starting January 1, 2026. Free recycling will be provided to everyone in the State including rural areas.
 - Shout out to the YEEHAW Committee on setting up the emergency warming shelter. It's at the Calvary Church.
 - Having council members on various committees is great but the most important thing is that we're consistently reporting at council on all the different committees that meet in the city.
2. Mayor Ayala:
 - Very happy to see Mr. Bill Jackson in the audience tonight.
 - To Mr. Brad Davidson, you have done an amazing job as our Interim City Manager. I appreciate you so much this last year. Everything we've done and worked on together. You've done everything I've asked and more. You've helped this council and the city move forward.
 - We are looking at Michael Hart arriving here around mid-February.

There being no further business, the meeting adjourned at 7:36 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joseph Ayala, Mayor