

***Subject to approval at
the May 16, 2022
City Council Meeting***

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

CALL TO ORDER: A regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Pro-Tem Velasquez on Monday, May 2, 2022, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Council Member Vela gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro-Tem Velasquez 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
Chandra Ochoa, Ward 2
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: Joe Ayala, Mayor

Also present: Rick Klein, City Manager
Phil Malouff Jr., City Attorney
Debra Fraker, Admin. Asst.
Paula Mahoney, Admin. Asst.
Aliza Libby, Director of Finance
Gary Cranson, UB Commissioner
Betty Velasquez, La Junta
Diana Remick, La Junta
William Remick, La Junta
Kyle Christianson, La Junta
Bill Macdonald, La Junta
Bette McFarren, RF Gazette

MINUTES OF PREVIOUS MEETING: Mayor Pro-Tem Velasquez asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of April 18, 2022. After hearing none, the Mayor Pro-Tem asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE APRIL 18, 2022 MINUTES AS PUBLISHED: Vela

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 6-0 (Ayala absent)

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

1. Bill Macdonald: (The following comment has been written as close to verbatim as possible.) "I typically go out to Death Valley in the winter. I missed a year but that's where Pahrump Nevada is. They have a lot of people liking to carry their pistols to the supermarket. When I was there at the Starbucks this year, there was actually a paramilitary guy. Had his pistol and two clips on him in the Starbucks. It said Skokie Range on his khaki with stripes and everything. So just last week I was here in the Wal-Mart there were two people wearing pistols in the Wal-Mart. I asked a one of the people who worked there, Veteran of the Air Force. He's like, 'I don't like it either'. These people are being aggressive. What's going on here in America? The other side of it is

we have things like restraining orders. The 2nd Amendment people are justifiably have concerns about things. I currently have an injunction against my property that's right over there. The other side of it is anybody here on the council could have one of their neighbors go down to the new magistrate, Rodney Fouracre, have a secret meeting and then you're summoned to court before Judge Manley. In my case, I spent roughly 12 hours producing key documents for Judge Manley. He couldn't find them and had no interest whatsoever. By that time I realized, he's not entirely a judge. He's actually the attorney for the accuser. Consequently, that's pretty much why I'm here. The kind of thing you want to think about, do you want to worry about having one of your neighbors go to Fouracre and have you hauled before Manley. They issue a permanent injunction about the place where you live. There's actually quite a lot of background information you have to look at. What I'm getting is that there's dark courts at work here in La Junta that affects a lot of people that get stuck on probation. Working people. They have spent time and money. Manley keeps bringing them back to court. Fouracre's been here. There's a huge spike since Fouracre went on it using the secret, it's not secret. What it is to emergency powers. I'm working through the process. Personally, I'm extremely offended by Fouracre and Manley judicial behavior. There are ways to follow it through and that's what I'm doing. I'm letting you know that there's actually. When somebody gets one of these restraining orders and they've been unjustly accused, they resent it for the rest of their life. I've talked to people about it. It's not a good situation. That's why I came to council and thank you for your time."

City Attorney Malouff: Just so the record is straight, Judge Manley was operating as a State Judge and it was a State restraining order in a State Court. Nothing to do with us.

2. Diana Remick, 516 Grant Avenue: "There was a freak accident at 5th & Rice. It was very tragic for a lot of people. We had a birthday party going on right across the street from the accident. Several Primary School age kids witnessed the accident. There were families bar-b-qing and a baseball game going on. It was a unique situation but many silent witnesses to the tragedy. This isn't the first time this house has had a car accident in their yard. This is the second time. This is a single mother of small children who no longer felt safe to live in this house. She has been trying to get out of her household because that day her kids could have been playing in the yard. This is a concern. There are numerous times that I've been driving home and I've avoided collisions happening there. I've witnessed collisions happening there. I've seen people missing the stop sign. When I contacted the City, Rick informed Paula to let me know that CDOT was aware of this problem. I think that's great news but I think it's bigger than just a 4-way stop. There's more problems that we need to look at. There's an urgency to not put this on hold. I don't want this to be a CDOT problem that just takes a long time to get resolved. This is a busy time of the year. There's lots of kids and families riding their bikes and going to the Primary School to play. There's kids walking to Sonic with their friends. There's a baseball game almost every single night and we haven't even started Parks and Recreation. There's also the Wipe-Out that's going to be opening. I think a 4-way stop is one way to help with the situation but I also think that parking needs to be limited on the street. If you drive past that ballpark when there's a game, it's a "punch it" situation. You creep out and creep out and then you "punch it" and hope that you don't get in an accident. At 16, I was in a car accident because of that at a baseball game. Again, it hasn't changed 30 years later. It's still the same problem and nothings been done. I'm not here to complain. I want to be part of the solution. I want to advocate for people that can't come. The mother of the house felt like she couldn't come. She's been emotionally traumatized. She's had to move into a smaller place for the safety of her children. She was not home. I personally contacted her because I didn't want her to come home to this tragedy. She was on her way to Pueblo to celebrate a birthday party. She would have been home after 10:00 that night and walked up to a beam that had fallen down on her house. Yes I understand this was a citizen that has not made good choices in our community. It was a freak accident. But again, this wasn't the first time that she's had a car in her yard with her children playing in that area. Ideally, it's hard to say no parking because a lot of people who attend baseball games. But for the safety of our children, I think that the parking needs to be moved up. So we don't have blind spots on both sides of 5th & Grant. I think that we really need to be about that and doing that. Addressing that as soon as possible. I attended a baseball game and there were people parked clear up to the stop sign and no monitoring of it. No police, no enforcement. And again, our children are our priority We need to put them first. This is going to

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be an area where we want kids, family to gather for Sonic, Parks and Recreation and baseball and for the swimming pool. I really think that there is a sense of urgency that needs to be taken care of now because I don't want to be a witness to another tragedy. I will not be able to handle knowing that a child or somebody got hurt because we didn't do what we needed to do as a City to keep our children safe and our families safe."

3. Edward Vela: I'd like to thank everyone for their thoughts and prayers during my short term absence from council because I had to have some surgery. I'm still in recovery but I'm doing pretty good. Prayer works.

NEW BUSINESS

- A. A Resolution Concerning a Petition for Annexation.** Resolution No. R-11-2022 was presented for council's consideration as follows:

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on April 21, 2022 concerning the Petition for Annexation filed by THE PHILLIP W. BUFORD AND MARY JEAN BERG BUFORD LIVING TRUST DATED 04/15/2014, concerning certain lands; and

WHEREAS, after hearing the City Council of La Junta finds as follows:

1. The applicable sections of Section 31-12-104 entitled "Eligibility for Annexation", and the applicable sections of Section 31-12-105 entitled "Limitations" have been met;
2. That there is no requirement of an election pursuant to the terms of 31-12-107(2); and
3. The terms of 31-12-107 (l)(g) are applicable and controlling.
4. That all other requirements of the Petition for Annexation having been met;

WHEREAS, the recommendation of the Planning Commission is that the sites described above and in the Petition for Annexation should be annexed into the City, zoned "C-S".

MOTION TO ADOPT RESOLUTION NO. R-11-2022: Vela

SECOND: Ochoa

DISCUSSION: The annexation of this property will increase the tax base.

VOTE: The motion carried 6-0 (Ayala absent)

- B. First Reading/AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 6-0 (Ayala absent)

- C. First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY THE PHILLIP W. BUFORD AND MARY JEAN BERG BUFORD LIVING TRUST DATED 04/15/2014.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Ochoa

SECOND: McIntyre

DISCUSSION: There was no discussion

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VOTE: The motion carried 6-0 (Ayala absent)

- D. First Reading/AN ORDINANCE OF THE CITY OF LA JUNTA, COLORADO TO UTILIZE THE COLORADO DEPARTMENT OF REVENUE SALES AND USE TAX COLLECTION PROCEDURES.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Pantoya

SECOND: Ochoa

DISCUSSION: The State of Colorado will begin collecting La Junta sales tax beginning July 1, 2022 and will remit payment to the City on the first of every month.

VOTE: The motion carried 6-0 (Ayala absent)

E. Committee/Board Reports

1. Live Well Park (Council Member Vela):
 - Still in limbo but the Children's Theater have been having rehearsals.
2. Action 22 (Council Member Vela):
 - Attended a meeting about housing. Very impressed with the meeting. Learned several things including the need for connectivity and options that are available for people to participate in housing.

F. City Manager's Comments

- The bikes from our Bike Share grant have been activated.
- T-Ball, Softball/Baseball registrations are open until May 6th.
- We have started setting blocks on the low part of the Brick & Tile Park. We need to finish the concrete pours this month as well as patch when the asphalt is available.
- We have been placing the traffic counters around town.
- All of our 20 yard boxes are rented.
- Working on Southeast Housing Project as well as presenting on our housing and demolition programs for Action 22.
- City Park bathrooms have been vandalized twice since we have opened them.
- We are working on the 50/50 Tree Removal Program.
- We will have a new engineer starting June 1st, Martin Montoya
- We are at Fire Wind Stage 1 fire restrictions.
- We had a water break at 2nd and San Juan Avenue.
- There are cameras at the park and cemetery.
- Black is Beautiful is working on 3rd Street on the west side of town.

G. Governing Body Comments

1. Council Member Velasquez:
 - Concerning the new bike racks, a citizen said thank you for putting them up on the east side. It gives the City a new vibe look. It shows optimism in the direction we could be heading.
 - Starting yesterday and for the remainder of this week is public employee recognition week. For everybody out there that works for the City of La Junta, Thank You.
2. Council Member Vela:
 - At the Action 22 housing meeting, we also learned that you should get your home now because future homes will be modulars.

There being no further business, the meeting adjourned at 6:46 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joseph Ayala, Mayor