

*Subject to approval at
the June 5, 2023
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 Ayala on Monday, May 15, 2023, 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
Elaine McIntyre, Ward 2
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: Paul Velasquez, Ward 1

Also present: Rick Klein, City Manager
Bill Jackson, Asst. City Manager
Melanie Scofield, City Clerk
Paula Mahoney, Admin. Asst.
Aliza Libby, Director of Finance
Gary Cranson, Utility Board
Mike Bourget, UB Commissioner
Nancy Bennett, La Junta
Bethany Bender, La Junta
Chad Penner, La Junta
Andrew Froese, Hancock Froese & Co.
Patrick Hancock, Hancock Froese & Co.
Cathy Hurd, La Junta
Kathy DelRio, La Junta
Randy LaRue, La Junta
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 May 1, 2023. Council Member Vela had asked for the citation for how much the city can put in as far as the expenditures to promote an election. The City Attorney said \$75.00. The citation says \$50.00. He also asked if somebody was tracking it. Mr. Klein said yes. Hearing no further corrections or additions, the mayor asked for a motion to approve the minutes as amended.

MOTION TO ACCEPT THE MAY 1, 2023 MINUTES AS AMENDED: Ochoa

SECOND: McIntyre

DISCUSSION: There was no further discussion

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

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1. Randy LaRue, 320 Cimarron Avenue: Shared his concern of a dangerous, belligerent dog. He believes the owner lives on 4th and Lincoln but doesn't know for sure. The dog attacked his friend viciously on her bike. He was attacked the same day and was bit on the ankle.
2. Kathy DelRio, 320 Cimarron Avenue: Shared her encounter with a vicious dog that looks like a pit bull. The dog has attacked her and she is scared to go outside. She is trying to inform the community.
3. Bethany Bender, La Junta: Was using the Brick & Tile trail with her dog, on a leash and wanted to say thank you to whichever city worker cleaned up all the weeds. She also noticed that the grass is coming up where it was burnt. It looks beautiful over there.
4. Nancy Bennett, 622 Santa Fe Avenue: Shared the Steven A. Hart Award. It was People's Choice Award that the Certified Local Government received for their historic downtown survey. The amount of information in that survey is amazing. Trevor Herasingh, Daniel Horton and Nancy Bennett went to Denver to pick up the award.
5. Chad Penner, 1105 Belleview Avenue: Had a question regarding only having \$50 or \$75 for an election. Mr. Klein explained that the State of Colorado put a limit on how much tax dollars could be used to promote an election. This is for promoting only. Not for the actual cost of an election.
6. Rick Klein, City Manager: We received an award for achieving the next step in the Colorado Main Street program. For every level you go up, more comes in to help us with our downtown.

UNFINISHED BUSINESS

- A. **Second Reading/AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND FOR THE CALENDAR YEAR 2023.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: McIntyre

SECOND: Ochoa

DISCUSSION: The following discussion took place.

Council Member Vela: The City Attorney and I, he called me at the end of the meeting last time we met and he had a proposal for resolution to try to avoid the cost of this expenditure. He told me to think about it and a week later, we talked about it and I suggested to him that in order to eliminate this cost, which Rick says it'll be pretty devastating to our budget, that we come up with alternative dispute resolution and I told him because of the suspect of the investigations data so far. So, and then he left on vacation. So, I don't know what his thought was. He never got back to me. So, I have to assume that it was zero. But if you guys want to talk about it and another way we can do that without going to that \$10,000 expense, I would make that motion.

Mayor Ayala: I don't understand your statement Ed. Clarify more for me.

Council Member Vela: Does anybody else? If you don't, I'll explain it again.

Council Member Pantoya: I don't understand.

Council Member Vela: You don't?

Council Member Pantoya: Nuh uh.

Council Member Vela: After the meeting, last meeting, Dean suggested that we do some alternative resolution to this whole issue and I said, I would think about it and next thing I know, he was gone but the fact of the matter is that I'm thinking about it because of my feelings that are suspect toward the content of the statements by the two affiants which would be Salazar and Johannes. Does that make it a little bit clear? Anybody not understand? I'll say it again.

Council Member Pantoya: Do you understand Elaine?

Council Member Vela: Do you?

Council Member Pantoya: I think I get it now, yes.

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Mayor Ayala: So, you're thinking about working out a deal with Dean?

Council Member Vela: No, with the council and Dean. All he does is propose to you guys and you guys decided.

Council Member Pantoya: But if you didn't go with whatever he proposed to you, then I would say that we're probably going to need to do it.

Council Member Vela: Yeah.

Council Member Pantoya: Cuz, then, you did it. You're saying you counter offered with something else and that was . . .

Council Member Vela: No, I haven't counter offered anything.

Council Member Ochoa: He never go back to you?

Council Member Vela: He never got back. He left town. He said he had to go to Florida.

Council Member Pantoya: Yeah, I know but you told him that you would think about it and you, you didn't do it. When you said something different of what you would go with and you said no. And he didn't get back to you. So, then I think we need to do it.

Council Member Vela: Yeah.

City Manager Klein: Yeah, whether you pass this or not, you know, I'll hold back until after Dean gets back and then we'll get clarification. See which way they go. So, you know, you can go ahead and pass the ordinance.

Council Member Ochoa: So that money could be moved back?

City Manager Klein: Oh yes. You just don't spend it.

Council Member Ochoa: Thank you for clarifying that.

Council Member Vela: Say that again Rick.

City Manager Klein: Whether you pass or it fails . . .

Council Member Vela: Oh.

City Manager Klein: I'll talk to Dean when he gets back. We just won't spend the money.

Council Member Vela: Okay. I just threw that out for discussion.

Council Member Ochoa: That's a great discussion to have that we should . . .

Mayor Ayala: So, you, it's your statement that you didn't talk to Dean at all after that last meeting that we had at last council? Mr. Vela. Mr. Vela. You.

Council Member Vela: What?

Mayor Ayala: You haven't talked to Ed, I mean to Dean, since then?

Council Member Vela: No.

Mayor Ayala: That's your statement. Okay.

Council Member Vela: He never got back to me. So, as far as I'm concerned, it's still open.

Council Member Pantoya: So, what is he getting back to you for?

Council Member Vela: Uh, to see the merits of what we proposed.

Council Member Pantoya: So, you proposed something back to him.

Council Member Vela: Yeah.

Council Member Pantoya: Okay, I think we could probably do this and then talk later.

Council Member Vela: Yeah, we can do it.

Mayor Ayala: Okay.

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Council Member Vela: That's all the discussion I had.

Mayor Ayala: Any other discussion? I'll ask for your vote.

VOTE: Those voting YES: Ramirez, McIntyre, Ayala, Ochoa and Pantoya

Those voting NO: Vela

The motion carried 5-1 (Velasquez absent)

NEW BUSINESS

A. Presentation of the 2022 Audit Report. Patrick Hancock and Andrew Froese with Hancock, Froese & Company went over the independent auditor's report and the government-wide financial statements. The ratio analysis worksheet shows the key financial ratios for the General Fund, Electric Fund, Water Fund, Sewer Fund and Sanitation Fund. (Analysis worksheet is attached).

B. Committee/Board Reports

There were no committee or board reports.

C. City Manager's Comments

- The Brick and Tile playground is completed except for the last shelter. Weather has slowed down the progress.
- Finishing the Brick and Tile Park bathroom. The electrical and plumbers are working on interior.
- CDOT to issue notice to proceed this month, then we start the bidding process for the trail. We have our Invitation For bid ready when we receive the notice.
- We are still working with the Utility Board on the Rate Study.
- The Library is having an open house on May 24th from 10:00 a.m. to 12:00 noon showcasing their services.
- Wildland fire season is here, be careful.
- June 1st the pool opens.
- Soccer started.
- May 1st level 1 water restrictions.
- Electric crews installed security lights at Brick and Tile park.
- Supply chains are increasingly complex and lead times continue to be unpredictable at best, and typically longer than expected. We are continuing to see logistic costs on the rise but thankfully most items are available for procurement, it's just going to cost more to ship said items.
- It is unlawful to park on sidewalks or block driveways. We are getting complaints.
- As soon as we get asphalt, we're going to stop everything and go to asphalt mode.

ADDITIONAL TOPICS DISCUSSED:

- Need to replace the brick manhole located at 10th and Carson. It has been ordered.
- The tent over by Boss Hoggs has finally been removed.
- We are still doing private pool rentals just no open swim nights.
- Signs are ordered and more monitoring is being done in regards to the ducks at the City Park.
- The Colorado Rockies organization will be here Friday giving a clinic for the children.
- Mayor Ayala, along with Council Member Pantoya, had the opportunity to present awards at the Valley's kids at the Center for American Values in Pueblo.

D. Governing Body Comments

1. Council Member Vela:

- Thanked Urban Renewal for giving that \$250,000 for Sutherland Lumber to come into town. That's a good investment. Thank you.

2. Mayor Ayala:

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- I'm going to make a statement. I'm going to talk about you Mr. Vela. So, I'm going to ask that you wait until I'm finished before you respond.

Council Member Vela: Oh yeah.

Mayor Ayala: Full disclosure, Mr. Vela is a relative to my wife through marriage. I've known Mr. Vela a very long time. He's lived across the street from my aunt. I respect Mr. Vela. I think he is a great member of this community. He's a city councilman, a veteran. I believe he truly does care about this city. We don't always agree on things. It baffles me that he says that he did not talk to Dean because someone is not telling me accurate information. I received a call last Tuesday from Dean saying he needed to talk to me about a proposal from Mr. Vela and that proposal was, Mrs. Salazar was to recant her story or there would be damning information released about the mayor from Ed. And, I don't understand that. I'm not involved in this situation at all. Other than this report was made to me. I do not have anything to do with what Mr. Vela did. I'm trying to keep myself out of it. That way, I can be given the situation and make my decision off of that. I've told Mr. Vela this. He says, you know, you're not talking to me. I told him I'd talk to him about anything except for that situation. I'm not going to be threatened with things that I may or may not have done. I'm an honest man. I'm a family man and I care about this community and I run a business. I can't have these kinds of things being put out there like that. I do this because I want to help La Junta grow. At one point, I actually supported Mr. Vela to be mayor many years ago. But I'm not going to be threatened with information being held over me or things like that. That's not how I operate. We're all adults here. If you're saying that you didn't talk to Mr. Malouff about that, someone's miscommunicating the information. That's not how we do business here. We're adults. We have a ton of problems that we have to do right now. A ton of problems that we have to work on and instead, we always have to deal with things like this and nine times out of ten, they're coming from Mr. Vela. And it frustrates me because when I get on Facebook, or when I see the news coming to town, it's for nonsense. It's not for us doing something good. It's not for us doing the work that we were elected to do and that bothers me. So, I'll let you respond but that's my statement on it.

Council Member Vela: Well, your comment that we had discussed the woman who made that accusation against me to recant. No. She just has to understand human behavior. Period. And I'm not going to give a whole bunch of information because all of this is still pending. Also, the mayor, your good, you're well intended. As I said, when I asked you to support me for mayor and you said, I'm going to run. I quickly pulled out a hundred bucks and said, here, I'm going to back you up because I wanted youth on this committee, this council and we got it. So, that's what I really like about it and the things I bring up, you know, it's not always just the city, it's the citizens too. I was elected by the citizens to do favor for the citizens without taking it deeply out of their pockets. And I'll have more to say on that later. But as far as the mayor not speaking to me, he won't even look at me and it's all right here. Period. I says, why? What? Who? When? Why? Nothing. Sees me walking. Always with a, as they say in the Spanish community or the Mexican community, with a jeta. And that's no good. We gotta get along. Matter of fact, it has even spilled out into the administration. Rick's a good guy. No matter what anybody does to him, he'll talk to you. But these other people that work in administration, ignore me. But I'll talk about that maybe later.

Council Member Pantoya: But that doesn't matter.

Council Member Vela: I'm speaking, do you mind?

Council Member Pantoya: Yes, I do mind.

Council Member Vela: Oh well, take the floor.

Council Member Pantoya: Yes, because I, what he's trying to say is that we want to move past this and not mudsling different things towards each other to get this accomplished. There's so much more we have to do.

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Council Member Vela: I've got eight years over your one year.

Council Member Pantoya: Yes, I know you have that. And you keep saying it's for the youth, for the youth, then step down.

Council Member Vela: I didn't say for the youth. I said for the citizens.

Council Member Pantoya: Yes, we're the citizens who are young and wanting to make a better La Junta.

Council Member Vela: That's right.

Council Member Pantoya: So, if . . .

Council Member Vela: But you're going to have input from the old guard. You're going to have input from the old guard. Cuz, I'm not saying I'm right all the time.

Council Member Pantoya: I'm not saying . . .

Council Member Vela: I'm just saying.

Council Member Pantoya: I know.

Council Member Vela: This is how I feel. I was elected by the people not by the council.

Council Member Pantoya: Yes.

Council Member Vela: And I feel strongly about that. Joe, you're still my nephew. I still love you. I still got plenty of positive things. Cuz, you know when you were elected, I told you, this is just a stepping stone into your, maybe a next state representative rule, or whatever, but we'll see.

Council Member Pantoya: But he just said that four years ago, he supported you for the same thing.

Council Member Vela: It wasn't four, it was six.

Council Member Pantoya: Well, he supported you.

Council Member Vela: Well, I did too.

Council Member Pantoya: Yes.

Council Member Vela: And that's what got him through.

Council Member Pantoya: But this is a bunch of mudslinging and it needs to stop.

Council Member Vela: Well, I didn't start it.

Mayor Ayala: Are you denying that you talked to Mr. Malouff about that?

Council Member Vela: No. I'm not denying that I talked to him because I was leaving and he called me over there. He initiated it. He says, hey, we gotta do something different on this. And he, I'm not going to say what he said, but I didn't like it. And then when he and I talked, oh, he was in a hurry. He's gotta go to Florida. And I says, why the rush? He goes, oh, you know the wife. They always want to go right now and that's the last I heard of him.

Council Member Ochoa: He's entitled to his vacation.

Council Member Vela: Well yeah, I'm not complaining about that. But don't say that you're going to do something and then go out of state.

Mayor Ayala: I don't know about that. All I know is the phone call I got on Tuesday and I was upset. I talked to Rick about it and I thought about filing a complaint against you Mr. Vela. That's borderline blackmail and extortion and I did not want to do that. I wanted to bring that up to you here and let you have an answer for that. I don't appreciate it. I have a lot in this community and I won't be threatened like that.

Council Member Vela: I got just as much as you or more.

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City Manager Klein: Let me get this straight. So, you talked to Dean here but you didn't talk to him any other time afterwards.

Council Member Veal: Yes, he called me. After I told him what I wanted. And he never got back to me.

City Manager Klein: And that was to understand human behavior?

Council Member Vela: What?

City Manager Klein: What was it? You wanted them to understand the human behavior.

Council Member Vela: Her perception of what my activity was during the time I was back there is improper. It's not correct. Cuz, you know yourself. Anytime you're here in a conversation with somebody and somebody walks by you, you're distracted like that, but just momentarily. Well, she took it out of context apparently. Ooops, I'm giving a trump card. Forget it. But hey, you know Joe, let's shake hands, let's talk and don't leave me out of the loop. Cuz everybody went to that, I mean, nobody went to that Ark Valley Conduit meeting. Except me. You know why I went? Cuz, nobody told me not to go. Everybody else know to go. That's what you told me.

City Manager Klein: Ed, you knew that the Utility Board had voted no on that.

Council Member Vela: On the Conduit.

City Manager Klein: Why would you go?

Council Member Vela: Maybe they had something different . . .

City Manager Klein: You put in for a travel rebate on it for fifty-eight bucks.

Council Member Vela: So.

City Manager Klein: Do you think that's right when these guys, they don't go then . . .

Council Member Vela: Did I bring back what I was given over there? Did I give you something to hand down? To tell you about the projects.

City Manager Klein: So, you know.

Council Member Vela: Did I do it? Yes.

City Manager Klein: So, it's up to council.

Council Member Vela: Well, you sure took it.

City Manager Klein: So, it's up to council to reimburse him the fifty-eight . . .

Council Member Vela: No, it aint. It's up to you.

City Manager Klein: No, it actually says authorized by, but I've never done one except for like CML, Action 22

Council Member Vela: I'm the cheapest guy there is when it comes to expenses and you know that.

City Manager Klein: Okay.

Mayor Ayala: Alright, with that, I'll adjourn this meeting. Thank you all for coming out.

There being no further business, the meeting adjourned at 7:20 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor