

***Subject to approval at
the June 6, 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 Ayala on Monday, May 16, 2022, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Council Member McIntyre gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Vela 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.
Tom Seaba, Director of Water/Wastewater
Gary Cranson, UB Commissioner
Nancy Bennett, Urban Renewal
Randall Roberson, 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 2, 2022. After hearing none, the Mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE MAY 2, 2022 MINUTES AS PUBLISHED: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

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

1. Gary Cranson, Clean Valley Recycling: Invited everyone to the Ark Valley Talent Show on June 16th at the Swink Recycling Center. Proceeds will go towards the new horizontal baler. For more information go to www.cleanvalleyrecycling.org/Talentshow.
2. Elaine McIntyre, La Junta: Reminded everybody that kids are getting out for the summer. Please slow down because our kids and pedestrians lives really matter.

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ARK VALLEY CONDUIT – Lee Miller, General Counsel: We would like to invite the City of La Junta to participate in the development of what we're looking at as a water authority under Colorado Statutes. So many of the participants within the water authority are not local government entities. We are inviting the two home rule cities, La Junta and Lamar, as well as the counties within the Arkansas Valley Conduit pass through, to participate in the water authority. We're looking forward to discussion on how that authority should be formulated, what its relationship should be with the Southeastern Colorado Water District, acting through its water enterprise and ultimately the relationship with the Bureau of Reclamation. We'd like to ask if you will contact the District with the name of a contact person and your attorney so I can start to work with them on exploring the idea of how a water authority would work. There will be a group meeting of all the entities at OJC on June 22nd at 9:30 a.m. This project is for the people of the lower valley. Southeastern District has, through its management of the Frying Pan Ark project, brought this Arkansas Valley Conduit to the place where we actually are talking to you about a pipeline that will really bring clean water to the lower valley. What we're hoping now is to partner with you on how that is going to be governed and managed in the future.

UNFINISHED BUSINESS

- A. Second 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 SECOND READING: McIntyre

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- B. Second 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 SECOND READING: Ochoa

SECOND: Pantoya

DISCUSSION: The storage units will be expanded.

VOTE: The motion carried 7-0

- C. Second 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 SECOND READING: Pantoya

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

NEW BUSINESS**A. Liquor Licenses.**

- 1. Application for a Special Event Permit by Southeast Colorado Creative Partnership, Nancy Bennett, Event Manager.** The event is the Annual Brew Fest Fundraiser to be held June 11, 2022 from 6:00 p.m. to 10:00 p.m. at the Santa Fe Plaza. The application is in order and has been reviewed by City supervisors for compliance with City and State codes. The appropriate fee has been tendered and the premises have been posted. The City Attorney recommends approval.

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MOTION TO GRANT A SPECIAL EVENT PERMIT TO SOUTHEAST COLORADO CREATIVE PARTNERSHIP FOR THEIR ANNUAL BREW FEST FUNDRAISER TO BE HELD JUNE 11, 2022 FROM 6:00 P.M. TO 10:00 P.M. AT THE SANTA FE PLAZA: Vela

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

2. **Application for Renewal of a Hotel & Restaurant Liquor License by Fargerson LLC, d/b/a Boss Hoggs Saloon & Restaurant, 808 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 HOTEL & RESTAURANT LIQUOR LICENSE BY FARGERSON LLC, D/B/A BOSS HOGGS SALOON & RESTAURANT, 808 E. 3RD STREET: McIntyre

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- B. **Urban Renewal Appointment.** City Attorney Malouff explained that the City has numerous Boards and that these Boards have differing ways they were created. Some are created by Colorado Statutes. Many of them are created by City Ordinances and a few are created by City Resolutions. Each of these various Boards have similarities but also some differences. Some similarities are how they operate once they are created. Non-similarity is how the Board members are populated, how they are appointed and who appoints. The traditional way of handling these appointments is to look back at the Legislation. Ordinances are State Statute to see who makes the appointment. Sometimes it's the Mayor, sometimes it's the Council. When it's the Council, there will be a vote. When it's the Mayor, the Mayor is asked to make the appointment, and then ratifies it by Council action. As part of the vetting process, we have traditionally asked the various Boards to recommend people to be on their Board. It is a non-binding circumstance. Membership of the Urban Renewal Authority is dictated by State Statute and the State Statute says the Mayor appoints.

Mayor Ayala: Asked Randall Roberson to step up to the podium. On behalf of the City of La Junta, I would like to say that I didn't feel you were treated fairly at your interview for the Urban Renewal appointment. When I started my volunteer work, I started on Urban Renewal. Mack Burtis pulled me aside after my first meeting and he told me that he was shocked to see someone my age take a passion in volunteering. Mack started emailing regularly. After his first email, I told him, I'm shocked someone your age uses technology so well. We started a good relationship. I didn't feel it was fair how he was talked about at that meeting. Mack Burtis did a lot of good things for the City of La Junta. I want that to be on record. When it comes to this appointment, if we have more than one person going for a position, I'm all for going with who the Board picks. But, when we have one person go for one open position, unless there is some kind of act of violence, foul language, or something that would be totally disqualifying, it almost seems personal that they would tell you no. As Mayor, I am appointing Randall Roberson to the Urban Renewal Board if you would have it.

Randall Roberson: Yes, I accept.

MOTION TO RATIFY THE APPOINTMENT OF RANDALL ROBERSON TO THE URBAN RENEWAL AUTHORITY BOARD: Velasquez

SECOND: McIntyre

DISCUSSION: It was questioned whether this type of exclusion behavior is the cause of our lack of volunteers.

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

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- C. Recycling Bins.** The Mayor and Chandra spoke to Brock Hinkhouse regarding the recycling bins at the Park. We don't feel they're being used correctly probably because their dual recycling and trash. Unfortunately, not everyone is up to speed on separating the two. This is what the City is seeing. The Mayor asked Gary Cranson if they're seeing the same thing on the recycling side.

Gary Cranson: The bins at the Park are just like the ones downtown. They have two holes and are divided in the middle. The ones downtown are just for trash. Both of the holes are labeled either "recycling" or "trash". We get a lot of trash in the recyclables. People don't seem to pay attention. Everything has to be sorted by hand.

Mayor Ayala: I suggest an education program and make them all recycle bins. It just seems to me that what we're doing isn't working.

D. Committee/Board Reports

1. Utilities Board (Council Member Vela):

- Discussion on net metering where residential and businesses with solar and wind generation are paid back for the excess energy they do not use.
- Approved such an arrangement with Valley Wide Clinic, up to 13 kW.
- We currently have fifteen solar customers and a couple more pending.
- Also discussed refunding utility bills that appear to be in error. The Statutes will be revised to make it fair for the user and the City.
- The Hunnicutt system should be completed by the end of this month.
- Carl Scofield was honored as Water Operator of the Year at the Colorado Rural Water Conference for 2021.
- Please do not water between 10:00 a.m. and 6:00 p.m. We don't want to be caught at the Stage 2 Water Restrictions. Be mindful of water usage.

There was discussion regarding Communities that Care and the Plaza Building.

2. AVRMC Board (Council Member McIntyre):

- Will be having our annual joint meeting on May 31st.
- Announcing a new CEO starting July 1st.
- Lynn Crowell will be retiring on June 30th. Has been the AVRMC CEO for 24 years.

3. Senior Center Advisory Board (Council Member Velasquez):

- Membership is up to 504 people.
- Forty people attended the Senior Prom. Thank you to Zeke Vigil Photography for donating his time and resources.
- Senior Center staff continue to go above and beyond.
- A possible Fall trip was discussed.
- They will be having smoked brisket on the 19th. They will continue covered dish through the summer.
- Booking a second trip for the Freedom to Move Tour.
- Had a question regarding the house located at 12th and Grace as to when it will be demolished?
- Alley clean-up was also discussed to help the seniors.

4. Urban Renewal (Mayor Ayala):

- We've been awarded a Brownsfield grant in the amount of \$500,000.00.
- Michael Yerman and Matt Ashby were in attendance via zoom.

5. Tree Board (Mayor Ayala):

- Applications are out for the 50/50 Tree Program.
- The goal every year is to plant more trees than are taken out.
- The cost of replacement will also be split with the homeowner.
- Attended Arbor Day at the Primary School.

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- We were awarded a \$500,000 Brownsfield grant from EPA to identify, test, and get a cleanup plan with costs to be able to go apply for an 80/20% matching grant. We are working with Inspiration Field on the old South School.
- Carl Scofield was the 2021 Water Operator of the Year.
- We have started setting blocks, processing the dirt, and cutting in the drainage of the Brick & Tile Park. We need to finish the concrete pours this month as well as patch when asphalt is available.
- Final trail design has been submitted to CDOT for approval.
- We have repaired the 3rd Street bridge that was required after inspection.
- Closed on three properties for Southeast Housing Project in La Junta. Groundbreaking May 25th at Las Animas Memorial field at 1:30 p.m.
- City Park wall at 14th and Santa Fe was hit and broke the opening out.
- Working on the 50/50 tree removal program.
- Stage 1 fire restrictions.
- Stage 1 water restrictions.

F. Governing Body Comments

1. Council Member McIntyre:
 - The Veteran's Field score board looks like it needs to be refurbished.
 - A lot of people have asked me about pickle ball and the possibility of it being at the downtown tennis courts.
2. Council Member Velasquez:
 - The week of May 15th starts National Police Week. Thank you for our dedicated police professionals.
 - For those responsible dog owners and walkers around our City Park, this is not meant for you. For those who allow their dogs to defecate where people walk, please be more conscientious of picking up after your dog.
 - It would be nice to have a dedicated dog park.
3. Council Member Vela:
 - Went to the Kitchen of Kindness last Thursday. It was really nice. There must have been 25 to 30 people there. It's a very worthy project.
4. Council Member Velasquez:
 - Asked about the staff development fund. Seems the more that's allocated the more its used. What is it for?

City Manager Klein: This is used for trainings and certifications. Some training we receive at no cost.
5. Mayor Ayala:
 - There may be a couple options on the Presbyterian Church.
 - There may be an issue about RV parking.

There being no further business, the meeting adjourned at 7:18 p.m.

ATTEST:**CITY OF LA JUNTA**

 Melanie R. Scofield, City Clerk

 Joseph Ayala, Mayor