

*Subject to approval at
the September 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, August 15, 2022, 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:

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

Absent: Damon Ramirez, Ward 1
 Lisa Pantoya, Ward 3

Also present: Rick Klein, City Manager
 Bill Jackson, Asst. City Manager
 Phil Malouff Jr., City Attorney
 Melanie Scofield, City Clerk
 Paula Mahoney, Admin. Asst.
 Andy Flemer, AVRMC CEO
 Chung Tran, Asian Café
 Valerie McWilliams, Family Dollar
 Betty Velasquez, La Junta
 Skye Koehl, Otero College Softball
 Patty Schaff, La Junta
 Bethany Bender, La Junta
 Julie Worley, La Junta
 Michelle Higgins, Family Dollar
 Nancy Bennett, La Junta
 Ezekiel Ayala, La Junta
 Adrian Hart, SECO News
 Gary Cranson, Utility Board Vice-Chair
 Bette McFarren, RF Gazette

A. PUBLIC HEARING: Application for a New Retail Fermented Malt Beverage Off-Premises Liquor License by Family Dollar Stores of Colorado LLC, d/b/a Family Dollar #25100, 614 E. 1st Street.

The City Attorney opened the hearing and explained that he believes the public hearing on August 1st, being represented by the attorney for Family Dollar, was not clearly understood. He has been in contact with Family Dollar's attorney and has received a document that is part of the mandatory training that the employees receive along with a detail of employees who have completed the course. The course is required by Family Dollar. It exceeds the Tips course. It pertains not only to alcohol but tobacco issues. The City Attorney believes this adequately resolves the issue of whether there's been appropriate training and recommends favorably consideration for their application for their off-premise liquor license.

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The local store manager, Michelle Higgins, and the district store manager, Valerie McWilliams, were in attendance. They answered additional questions from the council.

MOTION TO GRANT A RETAIL FERMENTED MALT BEVERAGE OFF-PREMISES LIQUOR LICENSE TO FAMILY DOLLAR STORES OF COLORADO LLC, D/B/A FAMILY DOLLAR #25100, 614 E. 1ST STREET: McIntyre

SECOND: Ochoa

DISCUSSION: There was additional discussion regarding staffing, theft, housekeeping, safety, their training manual and employee's concerns being addressed. The store manager and district manager responded.

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

B. PUBLIC HEARING: Application for a New Beer and Wine Liquor License by Tran & Yen LLC, d/b/a Asian Café, 414 W. 1st Street.

The City Attorney opened the hearing and gave some general information regarding the application. He then presented his preliminary findings as follows:

1. That the application is in proper order, the necessary fees having been paid, and the requisite checks and drawings are in order.
2. That the premises sought to be licensed is located at 414 W. 1st Street in La Junta, Colorado.
3. That the premises is presently zoned in a manner that will accommodate the proposed business.
4. That the premises sought to be licensed is not currently under a liquor license.
5. That the premises is properly occupied by the applicant.
6. That the proposed premises outlet was not within 500 feet of any public school or parochial school.
7. Notice of hearing has been given by posting of the premises as required by law and by publication in a newspaper of general circulation within the City of La Junta, being the La Junta Tribune-Democrat, more than ten days prior to the hearing date.
8. That the neighborhood to be served is designated as the City of La Junta.
9. That the closest outlet with a liquor license within the City of La Junta is Safeway, 315 W. 2nd Street, La Junta, Colorado, which is approximately five hundred (500) feet from the premises sought to be licensed.
10. That there are other outlets of similar nature within the neighborhood.

City Attorney Malouff explained to council that as a result of last meetings concerns with regard to the training for employees and management for any liquor outlet, I encouraged the applicants to go through the Tips training. With the help of the City Clerk, this has been accomplished and a certificate of completion is on file.

City Attorney Malouff called Charles Ly forward. He said he took the Tips training. They currently have eight employees. They serve Asian, Tai, Vietnamese and Chinese. They are open six days a week from 11:00 a.m. to 2:30 p.m. and then from 4:00 p.m. to 9:00 p.m.

The City Attorney asked if there was anyone present who wished to speak either for or against the issuance of this license. Hearing none, he closed the hearing.

The following action was taken:

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MOTION TO GRANT A BEER AND WINE LIQUOR LICENSE TO TRAN & YEN LLC, D/B/A ASIAN CAFÉ, 414 W. 1ST STREET: Ochoa

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

MINUTES OF PREVIOUS MEETING: Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of August 1, 2022. After hearing none, the Mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE AUGUST 1, 2022 MINUTES AS PUBLISHED: Velasquez

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

REPORTS

- A. **Skye Koehl – Otero College Softball.** Take the family to an Otero College Softball event for popsicles in the park. You can play catch with the team and take the opportunity to pie a coach in the face. The event will be at the La Junta City Park at 14th and Colorado on August 23, 2022 from 4:30 p.m. to 5:30 p.m.
- B. **Patty Schaff – Cat Update.** Patty gave an update on their continuing efforts of TNR and indexing. They've been making progress. However, they are burning through their funds. To continue, they would need help in bringing a spay and neuter clinic to La Junta. She spoke about the fees involved with this and also offered ideas of creating revenue to help out financially. Donations can be made to La Junta Animal Rescue, Doris Gumke.
- C. **Andy Flemer – AVRMC CEO.** Unofficially started on June 20th and officially on July 1st after Lynn Crowell retired. Andy introduced himself and shared background information regarding his previous work experiences in the medical field. He has already implemented an action plan for the hospital and is focusing on building a strategic plan. Andy also expressed staying in communication with the council.

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

- 1. Zeke Ayala: Zeke addressed concerns from the previous council meeting.

NEW BUSINESS**A. Liquor Licenses.**

- 1. **Application for a Report of Change of Trade name by Yak and Yeti Hotel Inc. from Pitmaster BBQ to Yak and Yeti, 1325 E. 3rd Street.** This application is to show notice of the trade name change. The City Attorney recommends approval.

MOTION TO APPROVE THE REPORT OF CHANGE OF TRADE NAME BY YAK AND YETI HOTEL INC. FROM PITMASTER BBQ TO YAK AND YETI, 1325 E. 3RD STREET: McIntyre

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

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2. **Application for Renewal of a Liquor Store Liquor License by J & S Liquor LLC, d/b/a J & S Liquor Store, 302 E. 1st 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 LIQUOR STORE LIQUOR LICENSE BY J & S LIQUOR LLC, D/B/A J & S LIQUOR STORE, 302 E 1ST STREET: Ochoa

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

- B. **A Resolution Authorizing the Sale of Real Property.** Resolution No. R-16-2022 was presented for council's consideration as follows:

WHEREAS, the City is a Home Rule City organized under the laws of the State of Colorado; and

WHEREAS, the City owns certain real property described as follows:

Lots 1, 2, 3, 4, 5 and 6 in Block 13, Lofland Addition to the City of La Junta, as shown by the recorded plat thereof,

And

All that part of the South 80 feet of Block 4, Ohio Addition to the City of La Junta lying directly North of Lots 1, 2, 3, 4, 5 and 6 in Block 13, Lofland Addition to the City of La Junta, as shown by the recorded plat thereof, in Otero County, Colorado.

WHEREAS, the City Council believes that the real property has no utility to the City and as such is surplus property; and

WHEREAS, the City described to sell the same to Family Guidance Institute.

BE IT THEREFORE RESOLVED BY THE CITY OF LA JUNTA, COLORADO as follows:

1. The City determines that the property is surplus property.
2. The City authorizes the City Manager to execute a Deed of Conveyance to Family Guidance Institute in exchange for the gross sum of \$80,900.00.
3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-16-2022: Ochoa

SECOND: Vela

DISCUSSION: This property is located at 901 W. 3rd Street.

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

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- C. **A Resolution Authorizing the Sale of Real Property.** Resolution No. R-17-2022 was presented for council's consideration as follows:

WHEREAS, the City is a Home Rule City organized under the laws of the State of Colorado; and

WHEREAS, the City owns certain real property described as follows:

The West 70 feet of Lots 22, 23 and 24 and the North 1 foot, 6 inches of the W/2 of Lot 21 in Block 36 in the City of La Junta, as shown by the recorded plat thereof, in Otero County, Colorado.

WHEREAS, the City Council believes that the real property has no utility to the City and as such is surplus property; and

WHEREAS, the City described to sell the same to VANCE JOHNSON.

BE IT THEREFORE RESOLVED BY THE CITY OF LA JUNTA, COLORADO as follows:

1. The City determines that the property is surplus property.
2. The City authorizes the City Manager to execute a Deed of Conveyance to VANCE JOHNSON in exchange for the gross sum of \$50,000.00.
3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-17-2022: Vela

SECOND: Velasquez

DISCUSSION: This is the old Presbyterian Church.

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

- D. **Possible Vacancy Determination: Board of Utility Commissioners.** The City Attorney recommends tabling this action until the next meeting.

MOTION TO TABLE THE POSSIBLE VACANCY DETERMINATION OF THE BOARD OF UTILITY COMMISSIONERS UNTIL SEPTEMBER 6TH: Ochoa

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ramirez and Pantoya absent)

E. Committee/Board Reports

1. Senior Center Advisory Board (Council Member Velasquez):
 - Membership has gone up to 531.
 - Have an instructor starting for the Peace Patchers quilt class.
 - The San Antonio trip was cancelled. Looking at a trip in September 2023 to Mackinac Island.
 - August is free fare, open to anybody, on our local transit system.
 - On August 11th, they sponsored/recognized two La Junta daycares.

CITY COUNCIL MEETING – August 15, 2022**F. City Manager's Comments**

- We should have our new fire truck by the end of August.
- We have fifty (50) applications for the second round of the 50/50 Tree Removal Program.
- Still in Stage 1 water restrictions.
- Prices keep going up. We also have long lead times.
- Weeds!
- Placed new street signs on West 10th Street from Colorado going west.
- Still in Fire Stage 1 fire restrictions.
- Asphalt work is being performed on streets that we will chipseal.
- The Rural Fire training building is going up fast.
- The Fire Department will host Fire on the Plains in September.
- The pool closed on August 14th. Dog Days of Summer will be on the 20th from 11:00 a.m. to 1:00 p.m.
- Topeka Avenue and 12th Street is getting repaved.
- The crosswalks are being painted for the schools.
- Just received a letter from CML, they are asking to have someone appointed to the Policy Committee. They need it by mid-September.

ADDITIONAL DISCUSSION:

- La Junta Cares
- Signs at Carson Avenue issue.

G. Governing Body Comments**1. Council Member Velasquez:**

- Had a citizen inquire as to, on the 5th of August at 1:00 p.m., why are they were watering at the cemetery.

City Manager Klein: The watering restrictions excludes the cemetery and golf course.

- To whoever did the weeds going west out of town at the median by the cemetery, it looks really nice.
- Thank you to the La Junta Police Department, Todd Quick, for Police in the Park. Also, thank you to the community for going out and supporting your Police Department.

2. Council Member Vela:

- The tagging is getting out of control.

3. Mayor Ayala:

- We're getting ready for kids going back to school. Please slow down. Watch where you're going.
- Did the trimming of the tree on 10th Street by the old Park School. It was a road hazard and we have more road hazards.

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

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor