

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

*Subject to approval at
the October 16, 2023
City Council Meeting*

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, October 2, 2023, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Mayor Pro Tem Velasquez gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Ochoa led everyone in the Pledge of Allegiance.

ROLL CALL: The following Council Members were present:

Damon Ramirez, Ward 1
Paul Velasquez, Ward 1
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
Melanie Scofield, City Clerk
Paula Mahoney, Admin. Asst.
Aliza Libby, Director of Finance
Darlene Derbigny, La Junta
Dee Leyba, La Junta
Betty Velasquez, La Junta
Henry Valdez, La Junta
Elaine Lewis, La Junta
Cathy Hurd, La Junta
Connie Shane, La Junta
Gary Cranson, Utility Board
Adrian Hart, SECO News
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 September 18, 2023. Hearing none, the mayor pro tem asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE SEPTEMBER 18, 2023 MINUTES AS PUBLISHED: Ramirez

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

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

1. Darlene Derbigny, 901 Maple Avenue: I'm here because I want to tell you why I'm supporting the 2A. First of all, let's deal with the library. The library is for all ages. From the very young to the very old and everybody in between. We need our library. There are classes there. There's entertainment there. If you don't use your library, I'm sorry. I love my library. And I love the people at the library. Let's move on to the swimming pool. It's the only pool in this area. The swim clubs have to come here from out-of-town to practice and they have their meets here. We live in the desert. What do you expect the kids to do in the summertime when it's 100 plus? Not only that, but they can get lifetime skills, it's a safety issue. Again, it's for all ages. If you haven't seen that nice

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little kiddie pool that they have there, It's beautiful. People who are in wheelchairs can walk into the pool. They can take their wheelchair right into the water. I love the swimming pool. The next one is the senior center. Its for all ages. You don't have to be a senior citizen to enjoy the senior center. We live in a retirement community. Health, nutrition, exercise. I was there one day and they had this many things going on. They had an ice cream social. They were giving inoculations. They had a big quilting group. They were playing cards. They were playing cornhole. They were doing pool. There was no space unoccupied at the senior center. If you haven't been there to see what they offer and what goes on, you need to go. I love the senior center. The last one, the golf course, I'm not a golfer and there's not much I can say about it except I think it should be available for those people who want to golf. Who knows? One day I may want to golf. But again, it supports health. Its socialization. It attracts tourists and brings in money. So that's a good think. The word people are always throwing around is we need these amenities. These are not amenities people. These are necessities that we need for our community. Let's make La Junta a N.I.C.E. place to be. Necessary. Indispensable. Critical. And Essential. Please vote for 2A.

2. Henry Valdez, 211 Harriet Avenue: The recycling bins that are over there across from the Boss Hoggs on 3rd Street and Adams. That's a very busy intersection there. We always talk about tourism and how nice we keep the city. You look at that. I'm not here for the glory or praise but I cleaned all that up the other day and I didn't have time to do the bulletin board that's on the corner. The other thing I'd like to talk about, my wife and me volunteer to delivery Meals on Wheels and once you get to 10th and Rice going south, all that area, there's no street signs there. We need street signs. There's a lot of them that are gone. I know we can't do anything about the people putting their house numbers on the houses. Sometimes I pass by the houses and have to turn around and find a street.
3. Dee Leyba, 511 Lincoln Avenue: (2A4LJ Committee Co-Chair). The Committee would like to thank everyone who helped in the preparation and participation in representing us in the parade and booths for the 2nd Annual Tarantula Fest. And a very special thanks to the Swink Lions Club for allowing us to use their dunk tank. The La Junta Tiger Football players that helped pick up the tank, Todd Quick for the truck and trailer and extra hands unloading and loading. Gail Evett for waiting patiently to fill the tank and of course our City Manager Rick Klein and Mayor Joe Ayala for helping us raise money. Also, Gilbert Leyba for trying to get the crowd wound up and really making is a fun experience. We appreciate everyone's support and couldn't have done it without the help of our community. Thank you.
4. Elaine Lewis, 1118 Park Avenue: I'm here for work but I love La Junta. I'm up here to thank you guys and this is why. There are plenty of people that I have heard talk about the golf course, the swimming pool, this and that which is great. This tells the story and I've lived in ten states and never have I been handed a full budget, clearly laid out. I've heard all the disputes back and forth of 2A and I'll be honest, I can't even vote in it yet because I am not that registered yet but I've seen what is going on in this city and I've seen how much you guys put the effort to be transparent in this. I even called and said, hey, I want sales tax numbers for the last few years. I got them all the way back to 1985 if anybody's interested. It was a little bit much but thank you. Something I noticed, because when we were doing the work session on this book, I noticed that sales tax has really not gone up much. Other than in 2019 and 2020, which was everybody buying on Amazon and nobody at Wal-Mart. So, I averaged those numbers out. It really stays about \$200,000 or less increase. Then I started looking at what Social Security increases, what the cost-of-living increases, things like that. It's 3% or more and we're not at that. It looks like we're averaging 4 to 5 percent. Nobody cares about the numbers. They just want to know should we vote yes or should we vote, no? Regardless of how you feel about the amenities, the city is not going to grow. One of the things I heard during, I believe it was a utility board meeting, let's say we don't have the water for the grass at the golf course. That in turn is a ripple effect right down to the income of the water department. So, more than just the general fund is at risk here. I want to thank you guys for being, it seems like most on the council are for 2A and because you see it and it transparent and I still have plenty more questions. There are no questions in here that are negative questions. It's just looking through the budget. I really appreciate it and thank you for your transparency. Thank you for being honest. It's really not a threat that these things could close. It's a funnel effect. The state says, you have to have this much money for this. This much money for this. So, once you pour the little bit of money that's coming in because it really hasn't grown, you're going to have to start taking things away. I

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think, especially on Facebook, so many people have heard everything and I don't think they've heard the numbers and that's really discerning. Especially since I know there's some people looking at running for council member s and I ask them questions and they haven't looked at this. They haven't seen this. So, you guys did a lot of hard work and congratulations to everybody and thank you for that hard work.

5. Adrian Hart, 201 Colorado Avenue, SECO News.org: I'm here to inform the council and the community that we will be hosting a candidate forum and debate next Wednesday, October 11th at the Ed Stafford Theater beginning at 6:30 p.m. Candidates can arrive fifteen minutes prior. Also, we're sponsoring an upcoming festival with a media partnership basically, promotional partner. The Good Wood Festival is going to be October 7th. They're going to start at 11:00 a.m. They will have a motorcycle show, a cornhole tournament with the Melon Valley Baggers. A slingshot competition. And six or seven local bands. They'll have Whiskey Throttle and Judt out of the Lamar area. The After Effect with Michael Hirakata, Damon and Lex Nichols. The Good Wood Festival supports the Danny Boy Foundation. So, it's a good cause.
6. Gary Cranson, Utility Board/Clean Valley Recycling: There's a saying that says everything good comes to those who wait. Henry, I was getting ready to clean up that mess. I hauled a couple of pickup loads of trash that people dumped that they shouldn't have. So, I waited long enough for you to finish the job. It looks really good too. I wanted to encourage people not to dump their trash. There were boxes of branches from yards. The city, earlier in the year, trimmed all those weeds once but its been awfully wet. So, we try to keep our part down clean down there and work our way up there. So, we're going to do that. I really want to encourage people not to leave stuff. The trailer is open on Saturday from 9:00 a.m. till noon. There are bins there for Southeast and East Colorado Recycling Association. Those are the whole cluster right by the street and Clean Valley has two for cardboard. They have slots. If you have a hard time getting your boxes or don't want to go through the trouble of smashing them, come on Saturdays. We have a big box in the trailer. You just bring it in there. If they're full just wait till Saturday or you can take stuff to Swink on Wednesday and Saturdays from 9:00 a.m. to 4:00 p.m. Thank you, Henry for doing that.

NEW BUSINESS**A. Liquor Licenses.**

1. **Application for Renewal of a Beer & Wine Liquor License by Tran & Yen LLC d/b/a Asian Café, 414 W. 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 BEER & WINE LIQUOR LICENSE BY TRAN & YEN LLC D/B/A ASIAN CAFÉ, 414 W. 1ST STREET: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

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: Ramirez

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

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- B. **A Resolution Concerning a Petition for Annexation filed by Bob G. Vigil.** Resolution No. R-12-2023 was presented for Council's consideration as follows:

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by Bob G. Vigil, concerning certain lands; and

WHEREAS, after hearing the City Council of La Junta finds as follows:
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;
That there is no requirement of an election pursuant to the terms of 31-12-107(2); and
The terms of 31-12-107(1)(g) are applicable and controlling.
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 "R-3".

WHEREAS, the Petition for Subdivision should be granted.

BE IT RESOLVED that the above findings are made absolute.

MOTION TO ADOPT RESOLUTION NO. R-12-2023: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- C. **First Reading/AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY OWNED BY BOB G. VIGIL.** 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 5-0 (Ayala absent/Ward 2 Vacancy)

- D. **First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY BOB G. VIGIL.** 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 5-0 (Ayala absent/Ward 2 Vacancy)

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- E. **A Resolution Concerning a Petition for Annexation filed by Peggy Valerio, Patricia Membreno, Diana Alcaraz, Irene Leyba and Ross Leyba.** Resolution No. R-13-2023 was presented for council's consideration as follows:

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA, concerning certain lands; and

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

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;

That there is no requirement of an election pursuant to the terms of 31-12-107(2); and

The terms of 31-12-107(1)(g) are applicable and controlling.

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 "R-1".

BE IT RESOLVED that the above findings are made absolute.

MOTION TO ADOPT RESOLUTION NO. R-13-2023: Ochoa

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- F. **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: Ochoa

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- G. **First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBAL AND ROSS LEYBA.** 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 annexation is for the residence only. It does not include the business property.

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

Those voting NO: Vela

The motion carried 4-1 (Ayala absent/Ward 2 Vacancy)

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- H. **A Resolution Concerning a Petition for Annexation filed by Peggy Valerio, Patricia Membreno, Diana Alcaraz, Irene Leyba and Ross Leyba.** Resolution No. R-14-2023 was presented for council's consideration as follows:

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA, concerning certain lands; and

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

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;

That there is no requirement of an election pursuant to the terms of 31-12-107(2); and

The terms of 31-12-107(1)(g) are applicable and controlling.

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 "R-1".

BE IT RESOLVED that the above findings are made absolute.

MOTION TO ADOPT RESOLUTION NO. R-14-2023: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- I. **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: Ramirez

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- J. **First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBAL AND ROSS LEYBA.** 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: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

- K. **First Reading/AN ORDINANCE AMENDING AN ORDINANCE (ORDINANCE NUMBER 1579) WHICH ESTABLISHED THE CITY OF LA JUNTA HISTORIC PRESERVATION ADVISORY AUTHORITY, PROVIDING FOR THE DESIGNATION OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; PROVIDING FOR NOTIFICATION TO THE HISTORIC PRESERVATION ADVISORY AUTHORITY OF THE INTENDED ALTERATION, REMOVAL OR DEMOLITION OF DESIGNATED HISTORIC BUILDINGS,**

LANDMARK SITES AND DISTRICTS; PROVIDING FOR THE REVOCATION OF DESIGNATIONS OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; AND DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE. 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: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Ayala absent/Ward 2 Vacancy)

L. Committee/Board Reports

1. Senior Center Advisory Board (Mayor Pro Tem Velasquez):
 - As of this month, there are 517 members.
 - Thanked Leonard and Judy Waldren who have decided not to continue with the dance committee.
 - Deedee and Jerry Portel were present to talk about their ideas for possibly the senior center dances and different socialization ideas.
 - The next meeting will be this Thursday the 5th at 10:00 a.m. at the Senior Center.
 - A resolution in support of the November 2023 election question to vote yes on the ballot was unanimously passed by the members of the board.
2. Planning Commission (Mayor Pro Tem Velasquez):
 - Recommended three annexations to City Council.

M. City Manager's Comments

- Couple weeks ago, we had three fires in three different trash cans in different portions of the community. Keep your eyes and ears open and let's stop this type of activity.
- The Senior Center had the free ride month in August. They had 5,086 riders. The state reimbursed us on that.
- Brick & Tile park, we had some kids go in and where the wheelchairs come up to one of the connectors, they're trying to break down the platform. We got it fixed but let's take care of that park and if you see people trying to ruin it, turn them in.
- Started paving Carson Avenue. It's done from 3rd to 5th and tomorrow will be doing 1st to 3rd.
- City wide cleanup and you can bring your stuff to the transfer station on Mondays through Saturdays from 9:00 a.m. to 4:00 p.m. Will be closed on Monday October 9th in observance of Columbus Day.
- One more time for weeds.

ADDITIONAL DISCUSSION:

- There have been some people and businesses complain about the shocking increase in their utility bills due to the rate increase. If you look back through the 2-year history of the accounts, you'll see a graph that shows how it spikes up during summer and comes back down. The rates went up a little bit in water and sewer, but nothing changed in electric.
- The amount spent on the investigation of Council Member Vela was just over \$11,000 just like the first incident at the Waste Water Facility. City Attorney Malouff said that the third-party attorney made a recommendation to him as part of the review process and he then made a recommendation to not proceed with any sort of sanctions. Council Member Vela disagreed with that statement.

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N. Governing Body Comments**1. City Manager Klein:**

- I'd like to thank anybody and everybody that had something to do with the Tarantula Fest. I had such a great time and fun down there. I thought it was every bit as good as Early Settlers. Thank you, La Junta, for showing up and being counted. That one actually really brought a lot of different people in. Thank you to the KOA. They called up today and said thank you because they were full all weekend long and just saw a lot of great people. Anybody who did the educational pavilion, that was a real big hit. So, thank you to everybody and for the 2A4LJ and for asking me to do the dunk tank. I had so much fun.

2. Council Member Ramirez:

- Again, I want to thank the people that come out to participate in these meetings and the people who wait for us online. It isn't always an easy job for us up here. Sometimes we have to deal with things that we don't like dealing with. Sometimes we have to deal with things that we don't need to be dealing with. I appreciate the support that the citizens give us and the things they put up with to continue to support La Junta.

3. Mayor Pro Tem Velasquez:

- What a weekend for La Junta. Starting off with the homecoming for La Junta High School. What a great showing there to see the community turn out the way they do. It's just a community full of pride and it's nice to see that. Saturday, the Tarantula Fest. There was also a supper at the Otero County Museum. There was also a Boots and Blink by KCASA to raise money for that worthy organization. So, La Junta just put its best foot forward again and that's nice to see. Rick mentioned at the last meeting about the Rural Philanthropy Days. I do have to say that Rick did a fantastic presentation. He is well regarded by the people that attended. I have to especially acknowledge Cynthia Nieb for her efforts in trying to make La Junta a better place. She was really out there and talking to the funders. It's a whole different language. Sitting with her in one presentation, she could actually answer questions that some of the funder's present could not answer. She was able to give us information. We have such a treasure in Cynthia and I appreciate your efforts.

There being no further business, the meeting adjourned at 6:54 p.m.

ATTEST:**CITY OF LA JUNTA**

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor