

*Subject to approval at
the January 2, 2024
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, December 18, 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
Paul Velasquez, Ward 1
Jeremiah Stoker, Ward 2
Joe Ayala, Mayor
Maureen Rikhof, Ward 3

Absent: Lisa Pantoya, Ward 3

Also present: Bill Jackson, Asst. City Manager
Phil Malouff Jr., City Attorney
Melanie Scofield, City Clerk
Paula Mahoney, Admin. Asst.
Aliza Libby, Director of Finance
Connie Shane, La Junta
Cathy Hurd, La Junta
Pauline Foss, La Junta
Susan Dietrich, La Junta
Nancy Bennett, La Junta
Douglas Golding, La Junta
Chris Wilkens, La Junta
Betty Velasquez, La Junta

MINUTES OF PREVIOUS MEETING: Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of December 4, 2023. Hearing none, the mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE DECEMBER 4, 2023 MINUTES AS PUBLISHED: Rikhof

SECOND: Velasquez

DISCUSSION: There was no discussion

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

Mayor Ayala asked if there were any corrections or additions to the minutes for the Special City Council Meeting of December 11, 2023. Hearing none, the mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE DECEMBER 11, 2023 MINUTES AS PUBLISHED: Stoker

SECOND: Ramirez

DISCUSSION: There was no discussion

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

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Assistant City Manager Jackson: A situation arose from a citizen requesting some pest control for birds that were roosting by her house and the feces and vomit was causing a problem. She contacted the U.S. Department of Agriculture who has the permits to do that. They just asked the city to assist them in placing the effigy to frighten the birds off.

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

1. Bob Houston, owns property at 413 E. 12th Street: The house at 411 E. 12th Street has been abandoned for many years. Lately a party from 1220 Rice has been moving quite a bit of property down to this house. It's starting to be an eyesore and the homeless have enjoyed the house while it was empty.
2. Douglas Golding, 1316 Lincoln Avenue: Wished the board a Merry Christmas and a Happy New Year.

UNFINISHED BUSINESS

- A. Second Reading/AN ORDINANCE TO AUTHORIZE THE IMPOSITION OF AN ADDITIONAL TAX OF ONE PERCENT ON ALL SALES WITHIN THE CITY OF LA JUNTA; PROVIDING OTHER MATTERS AND RATIFYING ACTIONS PREVIOUSLY TAKEN RELATING THERETO.** 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: Velasquez

DISCUSSION: There was no discussion

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

NEW BUSINESS

- A. Annual Resolutions for the year 2024**

1. **A Resolution Concerning Posting of Open Meetings.** Resolution No. R-16-2023 was presented for Council's consideration as follows:

WHEREAS, public cannot exercise its right to attend open meetings unless sufficient notice is provided to its citizens; and

WHEREAS, the Open Meetings Law requires the public to receive full and timely notice of any meetings held; and

WHEREAS, the Open Meeting statute (24-6-402) provides in part as follows:
Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

BE IT THEREFORE RESOLVED that the City Council of the City of La Junta, the Board of Utility Commissioners, the Planning Commission of the City of La Junta, the Airport Advisory Board, the Urban Renewal Authority, the Tourism Board, and any other advisory boards which have been created by Ordinance and which are required by ordinances of the City of La Junta to comply with the open meetings law shall comply with this Resolution.

BE IT FURTHER RESOLVED that notice of the meetings shall be issued by the Clerk of the City of La Junta.

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BE IT FURTHER RESOLVED that designated place for posting of the meetings shall be the main foyer of the City Building, located at 6th and Colorado, La Junta, Colorado.

MOTION TO ADOPT RESOLUTION NO. R-16-2023: Rikhof

SECOND: Ochoa

DISCUSSION: There was no discussion

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

2. **A Resolution Designating Official Depositories for Various City Funds.** Resolution No. R-17-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that the following are hereby designated as official depositories for the various funds for the City of La Junta for the calendar year 2024:

1. The Colorado Bank & Trust Company of La Junta;
2. State Bank and Trust Company of La Junta;
3. TBK Bank;
4. First National Bank of Las Animas and La Junta;
5. U.S. Bank;
6. Other financial institutions that comply with the intent of the terms of this resolution.

Whenever investment circumstances exist that prohibit banks from accepting City funds as deposits without requiring deposit fees be paid by the City, the City Manager or his designee, is authorized to locate other financial institutions; provided however that all funds be maintained in a federally insured account and all funds must be fully insured by the FDIC.

Priority considerations shall be given to institutions that offer competitive interest rates on City deposits.

MOTION TO ADOPT RESOLUTION NO. R-17-2023: Rikhof

SECOND: Velasquez

DISCUSSION: It should read, "for the calendar year 2024."

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

3. **A Resolution Concerning Discovered or Reported Offenses against City Property.** Resolution No. R-18-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that it shall be the policy of this Council that all discovered or reported offenses against the property of this City shall be referred to the appropriate law enforcement agency in this county for such action as may be deemed proper.

MOTION TO ADOPT RESOLUTION NO. R-18-2023: Rikhof

SECOND: Velasquez

DISCUSSION: There was no discussion

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

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4. **A Resolution Concerning Publication of Legal Notices.** Resolution No. R-19-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that all legal notices required to be published by the ordinances of the City of La Junta shall be published in the La Junta Tribune-Democrat, a paper of general circulation within the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-19-2023: Rikhof

SECOND: Stoker

DISCUSSION: Regardless if published online, legal notices, by statute, have to be published in a newspaper of general circulation.

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

5. **A Resolution Concerning City Enterprise Funds.** Resolution No. R-20-2023 was presented for Council's consideration as follows:

WHEREAS, the Taxpayer's bill of Rights anticipates that certain City enterprises are exempt from the provisions of the Taxpayer's Bill of Rights; and

WHEREAS, the Taxpayer's Bill of Rights defines the criteria upon which an enterprise becomes exempt from the operative provisions of the Taxpayer's Bill of Rights; and

WHEREAS, it is the belief of the City of La Junta that certain operational funds within its control are "enterprises" as defined by the Taxpayer's Bill of Rights.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. That the following City of La Junta funds are considered to be "enterprises" as used within the Tabor Amendment:
 - a. Electric Fund;
 - b. Sewer Fund;
 - c. Water Fund;
 - d. Sanitation Fund;
 - e. Property Management Fund.

MOTION TO ADOPT RESOLUTION NO. R-20-2023: Rikhof

SECOND: Ochoa

DISCUSSION: There was no discussion

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

- B. A Resolution Authorizing the Sale of Real Property – Southeast Colorado Enterprise Development, Inc., d/b/a SECED, Inc.** Resolution No. R-21-2023 was presented for Council's considerations as follows:

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

WHEREAS, the City previously owned certain real property described as follows:

CITY COUNCIL MEETING – December 18, 2023**PARCEL NO. 1:**

Lot 23, Antelope Trail Subdivision to the City of La Junta, according to the recorded plat thereof, in Otero County, Colorado.

More commonly known as 1518 Adams Avenue, La Junta, CO

PARCEL NO. 2:

Lots 20, 21 and 22, Block 4, La Junta Heights Subdivision to the City of La Junta, according to the recorded plat thereof, in Otero County, Colorado.

More commonly known as 1318 Lewis Avenue, La Junta, CO

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 decided to sell the same to SOUTHEAST COLORADO ENTERPRISE DEVELOPMENT, INC. doing business as SECED, INC.

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 SOUTHEAST COLORADO ENTERPRISE DEVELOPMENT, INC. doing business as SECED, INC.
3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-21-2023: Ochoa

SECOND: Rikhof

DISCUSSION: These are two separate properties.

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

C. A Resolution Concerning Change of Fund Names. Resolution No. R-22-2023 was presented for the Board's consideration as follows:

WHEREAS, the City of La Junta currently operates an internal fund entitled "Employee Benefit Claim Fund"; and

WHEREAS, the City of La Junta currently operates an internal fund entitled "Conservation Trust Fund"; and

WHEREAS, the City of La Junta currently operates an internal fund entitled "Lodging Tax Tourism Fund"; and

WHEREAS, the City of La Junta currently operates an internal fund entitled "Swat Surcharge Fund"; and

WHEREAS, renaming all of the above-mentioned Funds will make revenue tracking and auditing more efficient to the City.

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

SECTION 1: That the Employee Benefit Claim Fund is hereby renamed “Employee Benefit Fund”.

SECTION 2: That the Conservation Trust Fund is hereby renamed “Outdoor Conservation Fund”.

SECTION 3: That the Lodging Tax Tourism Fund is hereby renamed “Tourism Fund”.

SECTION 4: That the Swat Surcharge Fund is hereby renamed “Police Surcharge Fund”.

SECTION 5: The effective date of this resolution shall be January 1, 2024.

MOTION TO ADOPT RESOLUTION NO. R-22-2023: Ramirez

SECOND: Stoker

DISCUSSION: There was no discussion

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

D. Appoint Council Representatives

1. **AVRMC Board.** (Paul Velasquez and Maureen Rikhof were both interested and given time to speak.)

MOTION TO APPOINT PAUL VELASQUEZ TO THE AVRMC BOARD: Ochoa

SECOND: Stoker

DISCUSSION: There was no discussion

VOTE: Those voting YES: Ramirez, Velasquez, Stoker, Ayala, Ochoa

Those voting NO: Rikhof

The motion carried 5-1 (Pantoya absent)

2. **Planning Commission (Mayor Appointee)**

MOTION TO REAPPOINT CHANDRA OCHOA AND TOM SEABA TO THE PLANNING COMMISSION: Rikhof

SECOND: Velasquez

DISCUSSION: There was no discussion

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

3. **Planning Commission (Council Appointee)**

MOTION TO APPOINT JEREMIAH STOKER TO THE PLANNING COMMISSION: Velasquez

SECOND: Ochoa

DISCUSSION: There was no discussion

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

4. Senior Citizens Center Advisory Board

MOTION TO REAPPOINT PAUL VELASQUEZ TO THE SENIOR CITIZENS CENTER ADVISORY BOARD: Ochoa

SECOND: Rikhof

DISCUSSION: There was no discussion

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

5. Tree Board

MOTION TO REAPPOINT CHANDRA OCHOA TO THE TREE BOARD: Velasquez

SECOND: Rikhof

DISCUSSION: There was no discussion

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

6. Board of Utilities Commissioners

MOTION TO REAPPOINT PAUL VELASQUEZ TO THE BOARD OF UTILITIES COMMISSIONERS: Stoker

SECOND: Rikhof

DISCUSSION: There was no discussion

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

E. Board Appointments

1. Library Advisory Board

a. Julie Worley (term to expire 12/31/2026)

MOTION TO REAPPOINT JULIE WORLEY TO THE LIBRARY ADVISORY BOARD: Ramirez

SECOND: Ochoa

DISCUSSION: There was no discussion

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

2. Senior Citizens Advisory Board

a. Kathy Martinez (term to expire 12/31/2026)

MOTION TO REAPPOINT KATHY MARTINEZ TO THE SENIOR CITIZENS ADVISORY BOARD: Velasquez

SECOND: Rikhof

DISCUSSION: There was no discussion

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

b. Dortha McLain (term to expire 12/31/2026)

MOTION TO REAPPOINT DORTHA MCLAIN TO THE SENIOR CITIZENS ADVISORY BOARD: Velasquez

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SECOND: Ochoa

DISCUSSION: There was no discussion

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

3. Tourism Board**a. Ron Davis (term to expire 12/31/2026)**

MOTION TO REAPPOINT RON DAVIS TO THE TOURISM BOARD: Stoker

SECOND: Ochoa

DISCUSSION: There was no discussion

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

b. Colleen Oquist (term to expire 12/31/2026)

MOTION TO REAPPOINT COLLEEN OQUIST TO THE TOURISM BOARD: Ramirez

SECOND: Ochoa

DISCUSSION: There was no discussion

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

F. Liquor Licenses

- 1. Application for a Special Event Permit by Otero Junior College Foundation, Dillon Martin, Event Manager. The event is their annual fund raiser to be held December 31, 2023 from 7:00 p.m. to 11:59 p.m. at 2001 San Juan Avenue.** 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.

MOTION TO GRANT A SPECIAL EVENT PERMIT TO OTERO JUNIOR COLLEGE FOUNDATION FOR THEIR ANNUAL FUND RAISER TO BE HELD DECEMBER 31, 2023 FROM 7:00 P.M. TO 11:59 P.M. AT 2001 SAN JUAN AVENUE: Velasquez

SECOND: Rikhof

DISCUSSION: There was no discussion

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

- 2. Application for Renewal of a Beer & Wine Liquor License by Mini Mart Inc., d/b/a Loaf'n Jug #750013, 918 W. 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 BEER & WINE LIQUOR LICENSE BY MINI MART INC., D/B/A LOAF'N JUG #750013, 918 W. 3RD STREET: Ramirez

SECOND: Rikhof

DISCUSSION: There was no discussion

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

G. Committee/Board Reports

- 1. Senior Citizens Advisory Board (Council Member Velasquez):**
 - There are 499 members.
 - There will be a dance on December 29th from 7:00-10:00 p.m.
 - The Christmas luncheon will be on the 21st.
 - They will be cooking turkeys for the Jays Christmas dinner.

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- The Brick and Tile trail has over 90% of the concrete between 1st and 10th Street which is being done by TLM Constructors. They are working on street crossings and the bridge abutments. The bridges will arrive the second week of January.
- Finished putting in a fire line for Sutherlands.
- Also placed new services for residences along Highway 109.
- K-2 basketball games have started.
- Merry Christmas and Happy New Year!

ADDITIONAL DISCUSSION:

- The next council meeting will be Tuesday, January 2nd, 2024.

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

- Acknowledged Mr. Rick Aragon, sexton for Fairview Cemetery. There was a short documentary done by Rocky Mountain PBS. It was an excellent short story on what goes on at Fairview Cemetery and the dedication of Mr. Aragon and the crew that works out there. Thank you to them for the work that they do. It's nice to see La Junta represented on PBS.
- The La Junta Police Department has over 1400 traffic contacts. Code Enforcement has been very busy.
- I'd like to offer my condolences, we lost Mike Steeves, who is a long-time standing employee, a long-time police officer, highly revered police officer and instructor. Mike was a tremendous individual and super intelligent. It's a loss for our city and I want to express my condolences from Betty and myself and the City Council, to his family.

2. Mayor Ayala:

- It was a tough blow losing Mike. His wealth of knowledge from law enforcement to HTML coding. He was very open with sharing all his information that he had. With 2A, he was a vital source of information and getting that information out. It's going to be a loss for the City.
- We also lost a community member who owned a business downtown, The Barista. That was another tough loss for this community.
- Holiday Lighting Contest winners: 1st place – 902 Carson Avenue, 2nd place – 7 Cactus Drive and 3rd place – 33 Sierra Drive.
- Merry Christmas and Happy New Year!

MOTION TO GO INTO EXECUTIVE SESSION FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. §24-6-402(4)(b): Stoker

SECOND: Velasquez

DISCUSSION: There was no discussion

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

Council went into Executive Session from 6:53 p.m. until 7:34 p.m.

There being no further business, the meeting adjourned at 7:43 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor