

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

CALL TO ORDER: The regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Jeffri Pruyn on Monday, January 7, 2019, at 7:00 p.m. in the Council Chambers of the Municipal Building.

PLEDGE OF ALLEGIANCE: The Mayor led everyone in the Pledge of Allegiance.

INVOCATION: Council Member Goodwin gave the invocation.

ROLL CALL: The following Council Members were present:

- Eugene Mestas, Ward 1
- Jim Goodwin, Ward 1
- Elaine McIntyre, Ward 2
- Jeffri Pruyn, Mayor
- Shannon Lovato, Ward 2
- Edward Vela, Ward 3
- Scott Eckhart, Ward 3

Absent: none

- Also present:
- Rick Klein, City Manager
 - Bill Jackson, Asst. City Manager
 - Phil Malouff Jr, City Attorney
 - Melanie Scofield, City Clerk
 - Cynthia Nieb, UR/ED Director
 - Todd Quick, Chief of Police
 - Aliza Libby-Tucker, Director of Finance
 - Paula Mahoney, Administration
 - Aimee Hill, Engineering
 - Gary Cranson, ARPA Representative
 - Bette McFarren, La Junta Tribune Democrat

MINUTES OF PREVIOUS MEETING: Mayor Pruyn asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of December 17, 2018. Hearing none, she declared the minutes approved as published.

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

1. There was no citizen participation.

UNFINISHED BUSINESS

A. Second Reading/AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND AND PROPERTY MANAGEMENT FUND FOR THE CALENDAR YEAR 2018.

The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: Mestas

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

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- B. **Second Reading/AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND FOR THE CALENDAR YEAR 2019.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: Mestas

SECOND: Lovato

DISCUSSION: This supplemental does not include Police Department raises. They were already up to the level that the Fire Department will be after this ordinance passes.

VOTE: The motion carried 7-0

NEW BUSINESS

- A. **Application for a Special Events Permit by La Junta Chamber of Commerce, Susan Fisher, Event Manager. The event is their Annual Banquet to be held January 28, 2019 from 5:00 p.m. to midnight at 1802 Colorado 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 LA JUNTA CHAMBER OF COMMERCE FOR THEIR ANNUAL BANQUET TO BE HELD JANUARY 28, 2019 FROM 5:00 P.M. TO MIDNIGHT AT 1802 COLORADO AVENUE: Vela

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- B. **A Resolution Authorizing the Sale of Real Property – State Bank La Junta.** City Attorney Malouff explained that the sale of real property is treated differently than equipment and this resolution is required by the title company. Resolution No. R-1-2019 was presented for council's consideration:

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 13, 14 and 15, Block 20 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 for municipal purposes and as such is surplus property; and

WHEREAS, the City desires to sell the same to THE STATE BANK for the sum of \$30,000.00.

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

1. The City determines that the property described above is surplus property.

2. The City authorizes the Mayor to execute a Deed of Conveyance to THE STATE BANK in exchange for the gross sum of \$30,000.00.

3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-1-2019: Lovato

SECOND: Eckhart

DISCUSSION: There was no discussion

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

C. **A Resolution Authorizing the Sale of Real Property – Aragon/Borntrager.** Resolution No. R-2-2019 was presented for council’s consideration.

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:

TRACT NO. 1

Lot 12 in Bickel’s Subdivision of Lot 4, Block 1, Home Place, as shown by the recorded plat thereof, in Otero County, Colorado.

TRACT NO. 2

The East 45 feet of Lot 11, Bickel’s Subdivision of Lot 4, Block 1, Home Place, 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 for municipal purposes and as such is surplus property; and

WHEREAS, the City desires to sell the same to ADAM ARAGON and LAUREN BORNTRAGER, as joint tenants with right of survivorship, for the sum of \$4,725.00.

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

1. The City determines that the property described above is surplus property.

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2. The City authorizes the Mayor to execute a Deed of Conveyance to ADAM ARAGON and LAUREN BORNTRAGER, as joint tenants with right of survivorship, in exchange for the payment of the gross sum of \$4,725.00.
3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-2-2019: Lovato

SECOND: Vela

DISCUSSION: Generally these types of properties are given to the City but not always. These situations are usually on the losing end; however, it's far better to get them on the tax rolls.

VOTE: The motion carried 7-0

D. Annual Resolutions.

1. **A Resolution Concerning Publication of Legal Notices.** Resolution No. R-3-2019 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-3-2019: Goodwin

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

2. **A Resolution Concerning Discovered or Reported Offenses against City Property.** Resolution No. R-4-2019 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-4-2019: Lovato

SECOND: Mestas

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

3. **A Resolution Designating Official Depositories for Various City Funds.** Resolution No. R-5-2019 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 of the City of La Junta for the calendar year 2019:

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

MOTION TO TABLE RESOLUTION NO. R-5-2019: Lovato

SECOND: Eckhart

DISCUSSION: This resolution needs to be updated.

VOTE: The motion carried 7-0

4. **A Resolution Concerning City Enterprise Funds.** Resolution No. R-6-2019 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-6-2019: Goodwin

SECOND: Mestas

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

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5. **A Resolution Concerning Posting of Open Meetings.** Resolution No. R-7-2019 was presented for Council's consideration as follows:

WHEREAS, public can not 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.

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.

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MOTION TO ADOPT RESOLUTION NO. R-7-2019: McIntyre

SECOND: Eckhart

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

E. Committee/Board Reports

1. Council Member Vela (Sr. Citizens Board):
 - Had a light agenda. Working on the by-laws.
2. Council Member Vela (Design Comm.):
 - Start off with planters that are in the downtown area. There's a few more people to talk to concerning the design to be appropriate with the flowers that are going in the pots.

A. City Manager's Comments

Bill Jackson: We had meetings in October with CDOT Aeronautics as they chose La Junta for an off-scheduled grant for pavement maintenance at the airport. We'll be receiving a \$600,000.00 grant for \$60,000.00. We also applied for a Federal non-match grant for apron rehab. We are hoping to hear about that at the end of this month. It'll be about \$1.5 million. We were invited to apply for this grant.

Cynthia Nieb: We've started with the Intergenerational Park which we're calling La Junta Brick & Tile Park. We have a number of grants out. The first one we applied for was the Colorado Health Foundation for \$565,000.00 or around that amount. We also have a grant request into GOCO. I have requested from El Pomar \$70,000.00. This is still in the discussion phase. I am currently writing a Gates Family Foundation grant for \$90,000.00. Regarding Rural Jump Start, I talked with Ken Jensen today from the Office of Economic Development and International Trade. He is going to make an appointment to help the higher education apply for their part of the Rural Jump Start.

City Manager Klein: Tomorrow we have a lead through the State and will be making a phone call for a potential industry coming

1. Pool reservations have started.
2. 3-4 grade basketball starts January 21st thru February.
3. Asbestos abatement started at the old A&W and Reggie's Liquor.
4. Sonic's plan review is being done.
5. Kingdom Hall at 10th & Topeka is in the middle of their plan review.
6. Completing the plan review for Love's Country Store.
7. Looking at doing a plan review for Wal-Mart for a full remodel.
8. There will also be a full remodel of McDonalds.
9. Went to Dean & Co. tap room, they have a disc golf league there.
10. Soccer registration begins in February.
11. The 50/50 tree program has started.
12. Fire Department usually receive 1,500 calls per year, it has gone up to 2,100 calls.
13. We are at 84% completion of the WWTP – currently working on electrical components.

Council Member Mestas: Asked why Wal-Mart and McDonalds were remodeling.

City Manager Klein: From time to time they do that to all of their stores.

Council Member Vela: There are citizens who have received their recycle notices in their utility bills.

Finance Director Libby-Tucker: The information on the flyers sent out with Cycle 1 billing is incorrect. That issue has been fixed.

Council Member Vela: Who has authority on the fee?

City Attorney Malouff: The contract rate is between the City and Clean Valley Recycling. The fee is not controlled by the Utility Board but is approved by City Council.

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Council Member Vela: When are we going to get the hearing set up regarding renaming Veteran's Field?

Mayor Pruyn: We will schedule that the first council meeting in February.

Council Member Vela: We have lots of vacancies on our boards. Where are we on that?

Mayor Pruyn: They have been taken care of and will be voted on at our next meeting.

B. City Attorney's Comments

1. Always a privilege.

C. Governing Body's Comments

1. Council Member Goodwin:
 - Associated Charities helped 324 families for the Holidays. There were 20,030 people that were cared for at the end of 2018.
 - We need support throughout the entire year, not just during the holidays.
 - These numbers are just serving the La Junta, Swink and Cheraw areas only.
2. Council Member Lovato:
 - I would like to make a request for benches at the City Park around the pond. There's no place to sit while your fishing, feeding the ducks or just enjoying the area.
3. Mayor Pruyn:
 - Kudos to the Chamber of Commerce for decorating the Santa Fe Plaza this winter. It was very simple but very cool.
 - The CORE Center is ready for viewing. Our Grand Opening will be January 23rd from 4:30 – 6:30 p.m. There will be refreshments and tours. All are welcome.

There being no further business, the meeting adjourned at 7:58 p.m.

CITY OF LA JUNTA

Jeffri Pruyn, Mayor

ATTEST:

Melanie R. Scofield, City Clerk