

**CITY COUNCIL MEETING – May 7, 2018**

*Subject to approval at the  
May 21, 2018  
City Council Meeting*

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 Pruyne on Monday, May 7, 2018, 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 Pruyne, Mayor
- Shannon Lovato, Ward 2
- Scott Eckhart, Ward 3

Absent: Edward Vela, Ward 3

- Also present:
- Rick Klein, City Manager
  - Bill Jackson, Asst. City Manager
  - Phil Malouff, Jr., City Attorney
  - Melanie Scofield, City Clerk
  - Cynthia Nieb, Economic Development/UR Director
  - Todd Quick, Chief of Police
  - Aliza Libby-Tucker, Director of Finance
  - Darren Adame, Director of Engineering
  - Aimee Hill, Engineering Dept
  - Paula Mahoney, Administration
  - Gary Cranson, ARPA Representative
  - Susan Elliott, 1310 Lincoln Ave
  - Cheryl Lindner, 16 E. 22<sup>nd</sup> St
  - Nancy Bennett, La Junta
  - Barbara Ingles, 25115 Road 25
  - Rhonda Jones, La Junta
  - Dennis Golding 809 Colorado Ave
  - Rae Ann Waggoner, POB 144
  - Anne Boswell, KWAY Radio
  - Bette McFarren, La Junta Tribune Democrat

MINUTES OF PREVIOUS MEETING: Mayor Pruyne asked if there were any corrections to the minutes of the Regular City Council Meeting of April 16, 2018. Hearing none, she declared the minutes approved as published.

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

1. Dennis Golding, 809 Colorado Ave.: Believes Council should revisit the ordinances pertaining to code enforcement of trees/shrubs in right-of-ways and junk vehicles. The ordinances need to be consistent and distributed equally amongst the citizens.

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## NEW BUSINESS

A. **Liquor Licenses.**

1. **Application for Renewal of a 3.2% Beer on Premises Liquor License by WKRP Colorado LLC, d/b/a Pizza Hut, 402 E. 1<sup>st</sup> 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 RENEWAL OF A 3.2% BEER ON PREMISES LIQUOR LICENSE BY WKRP COLORADO LLC, D/B/A PIZZA HUT, 402 E. 1<sup>ST</sup> STREET: Goodwin

SECOND: Lovato

DISCUSSION: There was no discussion

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

2. **Application for a Special Event Permit by Southeast Colorado Creative Partnership, Nancy Aschermann, Event Manager. The event is an Annual Benefit for the Plaza Block Building Fund to be held June 9, 2018 from 1:00 p.m. to 8:00 p.m. at 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.

MOTION TO GRANT A SPECIAL EVENT PERMIT TO SOUTHEAST COLORADO CREATIVE PARTNERSHIP FOR AN EVENT TO BE HELD JUNE 9, 2018 FROM 1:00 P.M. TO 8:00 P.M. AT SANTA FE PLAZA: Lovato

SECOND: McIntyre

DISCUSSION: There was no discussion

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

- B. **A Resolution Authorizing the Sale of Real Property.** Resolution No. R-5-2018 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 North 35 feet of Lot 4, Block 2 in Jachim Settlement, 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 Kenneth Pearson and Laurie Pearson as joint tenants for \$200.00.

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

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1. The City determines that the property is surplus property.
2. The City authorizes the City Manager to execute a Deed of Conveyance to Kenneth Pearson and Laurie Pearson as joint tenants in exchange for payment in the gross sum of \$200.00.
3. The resolution is enacted by the City Council of the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-5-2018: Goodwin

SECOND: Lovato

DISCUSSION: There was no discussion

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

**C. Committee/Board Reports**

1. Council Member Lovato (Library Board):
  - Learned about the quarterly report. Circulation for 2017 was 26,559 and for 2018 is currently 22,265. Door count for 2017 was 27,411 and 2018 is already at 26,223.
  - Transitioning into the Summer Reading Program.
2. Council Member Lovato (Tree Board):
  - Kids at the Primary School got to help out with the Arbor Day Proclamation.
3. Council Member McIntyre (AVRMC Board):
  - Went over the board action summary and everything is pretty much on target.

**D. City Manager's Comments**

1. Three of our Electric guys are attending Hotline School in Grand Junction.
2. Poles were replaced between Carson and Belleview Avenue.
3. We've been approved for Main Street and the Opportunity Zone.
4. Tiger 9 grant is due June 19<sup>th</sup>. There are a lot of moving pieces. We need to have a bigger voice by writing letters to our congressman and senators.
5. Patching will be done on Thursday.
6. Tire King will be sponsoring another tire recycle on May 19<sup>th</sup> from 10:00-2:00 at 4<sup>th</sup> & Adams.

**E. City Attorney's Comments**

1. **Mini Mart (Loaf'n Jug) parent company change.** The law provides the Council to conduct hearings with regards to transfer of ownership. When a Council considers a liquor license they consider the needs of the community which is always considered in a public hearing. Those issues have already been decided in a change of ownership. In times past, Council's have waived the public hearings for these matters. What would this new Council like to do?

MOTION THAT CHANGES OF OWNERS OF CORPORATE STRUCTURE, AT THIS POINT, ARE NOT A REASON TO CONDUCT A PUBLIC HEARING: Goodwin

SECOND: Mestas

DISCUSSION: There was no further discussion

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

2. **A Resolution Concerning the Petition for Annexation Filed by the Colorado Department of Transportation.** Annexation is a step by step process defined by State Statute. One of the procedures of this process is to determine that a petition has been filed. This begins my review and then goes to the Planning Commission. This resolution acknowledges the petition for annexation and we authorize the Planning Commission and so forth to start looking at the process. The request for annexation is for the state shop on the east side of town (24211 Road 31). Resolution No. R-7-2018 was presented for council's consideration:

**WHEREAS,** a Petition for Annexation has been filed requesting an annexation of portions of the following described land:

A tract of land lying in Otero County, Colorado in the E/2SE/4 of Section 1, Township 24 South, Range 55 West of the 6<sup>th</sup> P.M. and more particularly described as follows:

Beginning at the Southeast corner of said E/2SE/4 as monumented by an Otero County Brass Cap PLS 12103 and considering the South line of said E/2SE/4 (as monumented by a 5/8" rebar with 2" aluminum cap stamped PS, INC. PLS 12103 at its West end) bearing S.89°54'19"W. (GPS) with all other bearings contained herein being relative thereto; thence along the East line of said E/2SE/4 bearing N.0°48'46"E., 783.87 feet to the TRUE POINT OF BEGINNING; thence S.89°54'19"W., 1326.43 feet to the West line of said E/2SE/4; thence N.0°54'05"E., 450.37 feet to the Southerly Right-of-Way line of U.S. Highway No. 50 [Project F001-5(4)]; thence along said Right-of-Way line bearing N.86°29'44"E., 294.24 feet (Deed = N.86°32'E., 293.4 feet) to a Highway Monument with brass cap; thence N.85°47'46"E., 205.72 feet (Deed = N.85°51'30"E., 205.2 feet); thence along a curve to the left whose radius is 3015.00 feet, an arc distance of 857.19 feet (Deed = 857.7 feet) to the East line of said E/2SE4/; thence departing said Right-of-Way and along said East line bearing S.0°48'46"W., 682.85 feet to the True Point of Beginning. SUBJECT TO the East 30.00 feet of said tract for County Road purposes and SUBJECT TO an easement for Telephone over the West 16.5 feet of the East 46.5 feet of said tract. All corners or offsets are monumented by 5/8" rebars and aluminum caps stamped PS, INC. PLS 12103 unless otherwise called for. The Tract contains 16.00 acres.

Said Petition having been filed by the COLORADO DEPARTMENT OF TRANSPORTATION; and

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**BE IT THEREFORE RESOLVED** that the Petition for Annexation of land, filed by the COLORADO DEPARTMENT OF TRANSPORTATION, is hereby received and that annexation proceedings are hereby authorized to be undertaken.

MOTION TO ADOPT RESOLUTION NO. R-7-2018: Mestas

SECOND: Goodwin

DISCUSSION: There was no further discussion

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

**F. Governing Body's Comments**

1. Mayor Pruyn: The audit work session will be scheduled for June 18<sup>th</sup>/June is Bike Month in Colorado with June 27<sup>th</sup> being Bike to Work Day/Training needs to be scheduled for Council sometime this month regarding Main Street.
2. Council Member Mestas: A special thank you to Rick Klein, Bill Jackson and Dean Malouff for all their hard work and diligence. Also to the employees of the City for the jobs being done.
3. Council Member Lovato: Remember Teacher Appreciation Week.

There being no further business, the meeting adjourned at 8:02 p.m.

CITY OF LA JUNTA

ATTEST:

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Jeffri Pruyn, Madam Mayor

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Melanie R. Scofield, City Clerk