

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 Lynn Horner on Tuesday, September 5, 2017, at 7:30 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:

- Betty Velasquez, Ward 1
- Jim Goodwin, Ward 1
- Frank McKenzie, Ward 2
- Lynn Horner, Mayor
- Jeffri Pruyn, Ward 2
- Edward Vela, Ward 3

Absent: Scott Eckhart, Ward 3

- Also present:
- Rick Klein, City Manager
  - Bill Jackson, Asst. City Manager
  - Phil Malouff Jr, City Attorney
  - Melanie Scofield, City Clerk
  - Todd Quick, Chief of Police
  - Gloria Thomas, Swink
  - Susan Elliott, 1310 Lincoln Ave
  - John Pollmiller, 601 Carson Ave
  - Ed Stafford, 9 Circle Dr
  - Clara Stafford, 9 Circle Dr
  - Paul Velasquez, 1313 Bradish Ave
  - Elaine McIntyre, La Junta
  - Dave Johnson, La Junta
  - Beverly Babb, 1120 W. 12<sup>th</sup> St
  - Anne Boswell, KWAY Radio Lamar
  - Cheryl Lindner, La Junta
  - Gary Cranson, ARPA Representative
  - Dale Thompson, La Junta
  - Bette McFarren, La Junta Tribune Democrat

MINUTES OF PREVIOUS MEETING: Mayor Horner asked if there were any corrections to the minutes of the Regular City Council Meeting of August 21, 2017. Hearing none, he declared the minutes approved as published.

PROCLAMATION – FIRST PRESBYTERIAN CHURCH: Mayor Horner signed a proclamation honoring the First Presbyterian Church 135<sup>th</sup> Anniversary.

PRESENTATION – ANTELOPE CROSSING: VIGNETTES OF SOUTHEASTERN COLORADO: Ed Stafford read the poem and asked Council if it would be displayed in the Council Chambers.

MOTION TO ACCEPT THIS POEM TO BE THE THEMED POEM FOR THE CITY OF LA JUNTA: Goodwin

SECOND: Velasquez

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DISCUSSION: There was no discussion

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

**CITIZEN PARTICIPATION FOR NON-AGENDA ITEMS (10 minute time limit per person):**

There was no citizen participation.

**UNFINISHED BUSINESS**

- A. **Second Reading/ AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND, PROPERTY MANAGEMENT FUND, ELECTRIC FUND, WATER FUND AND INTERNAL SERVICES FUND FOR THE CALENDAR YEAR 2017.** The ordinance was read by title only, there being copies available to those in attendance.

MOTION TO ADOPT THE ORDINANCE ON SECOND READING: Goodwin

SECOND: McKenzie

DISCUSSION: There was no discussion

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

**NEW BUSINESS**

- A. **Application for a Special Event Permit by La Junta Chamber of Commerce, Angela Ayala, Event Manager. The event is Early Settlers Day to be held on September 9, 2017 from 12:00 noon to 11:59 p.m. at City Park.** 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 THE LA JUNTA CHAMBER OF COMMERCE FOR EARLY SETTLERS DAY TO BE HELD ON SEPTEMBER 9, 2017 FROM 12:00 NOON TO 11:59 P.M. AT CITY PARK: Vela

SECOND: Pruyn

DISCUSSION: There was no discussion

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

- B. **A Resolution of the City Council of the City of La Junta, Colorado, supporting the organization of and labor question for the proposed La Junta Health Service District.** Resolution No. R-17-2017 was presented for council's consideration:

RECITALS

- A. The City Council (the "**Council**") for the City of La Junta (the "**City**"), State of Colorado (the "**State**"), approved the service plan for the proposed La Junta Health Service District (the "**District**") on May 15, 2017, via Resolution No. R-14-2017 (the "**Service Plan Resolution**").

- B. The District is proposed to be organized as a separate political subdivision to operate, finance and maintain a licensed long-term care and new nursing home facility in the City to effectively replace the nursing home. While the

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District will have the same boundaries and taxpayers as the City, it will be a separate and distinct governmental entity.

- C. The Council believes it is in the best interest of the City, its residents and taxpayers for the new nursing home to be built by the District for the community. Unless the District's organization and TABOR Questions are both approved, the current nursing home is expected to close by March 31, 2018.
- D. The Council has therefore authorized the effort to organize the District, via the Service Plan Resolution, and State law requires that voters approve the District's debt and related sales tax at an election to be held on November 7, 2017 (the "**Election**"). Voters will not be asked to increase property taxes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA JUNTA, STATE OF COLORADO:**

**SECTION 1:** The foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the Council.

**SECTION 2:** The Council supports the TABOR Question that will be submitted at the Election, a copy of which is attached hereto as Exhibit A and incorporated by this reference. Such TABOR Question will ask for debt authorization for the District and authorization for the District to impose a sales tax within its boundaries. Debt and sales tax approval is needed for the District to build and operate a new nursing home facility to replace the current nursing home. Although the organization question and the TABOR Question will be presented as separate questions, both require approval to implement the purpose of the proposed District.

**SECTION 3:** The Election will determine the future of long-term care and nursing services in the City. Health Service Districts are being used successfully in many parts of Colorado. The Council supports approval of the organization question and TABOR Question and recommends that every eligible elector in the City give these ballot questions serious consideration and strong support on November 7, 2017.

**SECTION 4:** As part of the Election, the District Court for Otero County has granted an Order for the Organizational Election of the proposed District. In such Order, the Court

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confirmed that Richard G. Klein shall act as the Designated Election Official on behalf of the District and Peggy Rupp shall act as the Assistant Designated Election Official on behalf of the District. The Council supports these appointments.

**SECTION 5:** The officers, employees and agents of the City are authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution to the organization of the District.

**SECTION 6:** This Resolution, immediately upon its passage, shall be authenticated by the signatures of the Council and the City Clerk and sealed with the corporate seal of the City.

MOTION TO ADOPT RESOLUTION NO. R-17-2017: Pruyn

SECOND: Velasquez

DISCUSSION: There was no discussion

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

- C. **Colorado Municipal League Policy Committee Appointment.** At the last City Council meeting, Rick Klein informed Council that we did not have a representative on CML's Policy Committee and asked for anyone interested to come see him. Mr. Vela did come in and is willing to be on the Policy Committee. I didn't hear from anybody else. Mayor Horner thanked Ed for being willing to serve.
- D. **Present 2018 Budget.** Aliza Libby-Tucker felt that an education on how we create the budget would be beneficial to all of the City's boards. She explained the budget process and broke down the meaning of each fund. Aliza then went over the budget book itself and explained the different sections of the book.

**PUBLIC BUDGET MEETING WILL BE MONDAY, SEPTEMBER 25<sup>TH</sup> AT 6:00 P.M.**

E. **Committee/Board Reports**

1. Council Member Goodwin for the (AVRMC Board) – Reminded anyone in the community who might be interested in serving on the AVRMC Board to please submit a letter of intent by Friday, September 8<sup>th</sup>.
2. Council Member Velasquez (AVRMC Board) – We had our last meeting on August 29<sup>th</sup> and covered a lot of business. A few things I'd share is that we did approve the expansion of our broadband with SECOM, Quorum gave a presentation showing a \$199,995 savings. I also shared an email today about Dr. Schmucker's funeral today. His funeral will be this Friday at the Nazarene Church at 10:00.

F. **City Manager's Comments**

1. We have 9 teams of 140 kids in Football. The first game will start September 9<sup>th</sup>.
2. We are in need of 1<sup>st</sup> and 2<sup>nd</sup> grade coaches for Volleyball.
3. Getting the pool ready for the winter.
4. There were 42 dogs at the Dog Days of Summer. Four hundred pounds of food was donated to Associated Charities.
5. There are eighty people going to the Rockies on October 1<sup>st</sup>.
6. Senior Center trip to Branson is October 15-21<sup>st</sup> its \$585.00.
7. Still battling the weeds.
8. High School softball and OJC baseball has started.
9. Early Settlers Day is Saturday the 9<sup>th</sup>.

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10. The eclipse glasses were a hit.
11. 1515 Grace Avenue and The Book Stop have been knocked down. The insurance company took out Star Cleaners. We're working on two more.
12. Clean Valley Recycling is going to have a tire recycling on September 23<sup>rd</sup>.

Council Member McKenzie: What's the price going to be?

Rick Klein: They received a grant. It's free up to a total limited amount.

13. We've started working on getting the asphalt to the curbs on Hayes and Belmont Avenues.

Council Member Vela: Tomorrow on the radio could you give details on the alley pick-up starting on 9-11?

Rick Klein: Yes.

Council Member Vela: People think they can throw out branches and trash.

14. We're going to take the excavator down to the Anderson Arroyo and clean it up.

Council Member Vela: Did you do anything with the Superintendent of Schools about the Resource Officer?

Rick Klein: Yes, we're renewing our contract agreement with them and it's a 50/50 program.

Council Member Vela: Is that better than what we had before?

Rick Klein: There were a couple of years that we couldn't supply them an officer so we didn't charge it out.

Council Member Vela: So we're paying 50% of the salary and the school is paying the other half?

Rick Klein: Yes.

Council Member Vela: That's better because we were paying '95 wages for that in 2016.

Council Member Pruyn: The alley behind Loma Vista is really bad.

Rick Klein: We'll look into it and try to do something.

Council Member Pruyn: Do we have any further plans for the bathrooms at the park?

Rick Klein: We did clean the sewer line but not much water was able to go down it. So we'll need to replace the line. Brad is looking to see if we can get a grant through the Historical Society.

Council Member Vela: The interior is all done in there right?

Rick Klein: No, just buttoned up.

Council Member Pruyn: Over on Best and 10<sup>th</sup> Street, is the east side of the street Otero County? So the other side of the street is City of La Junta?

Rick Klein: Yes.

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Council Member Pruyn: I have someone who lives on our side but right across the street people are dumping in the field. I know that's not us but I didn't know where to lead her.

Rick Klein: Send her to the Sheriff's Department.

Council Member Velasquez: The painting on 10<sup>th</sup> Street, what is the timeline on this?

Rick Klein: It'll probably be about a month and a half because we're going to be starting alley clean-up.

**G. City Attorney's Comments**

No comments, as always, it's a pleasure.

**H. Governing Body's Comments**

1. Council Member Goodwin: Kudos to a couple of gentlemen in town who have done some fantastic work re-doing the gazebo at the City Park and the work on the engine.

I would like to challenge the council for the month of October, several months ago we had people in here complaining about dogs. I had raised my hand and said to table this until we have more time to look into it. We haven't looked into it very much. I appreciate what Scott looked into a couple of weeks ago. I would like to know if we could all get together as a board and look at these things and bring up some information. Let's settle some dog rules.

Another thing that we've had a lot of people come to us in the past couple of years is about the fireworks. People shooting off fireworks until 2:00, 3:00, 4:00 in the morning. This last July in our neighborhood, we had people lighting stuff off until 4:00 in the morning. My complaint is the noise. What it does to me and other people that have health problems, what it does to our animals. There's not a local person who sells fireworks. The truck that was here was from out of town. We need to look into possibly an ordinance about no fireworks in the city limits.

The past few times that this board has met, tempers have blown. It's gotten loud and out of hand and not professional. I'm not blaming anyone in particular. I also raised my voice in that situation. Two years ago, we had a gentleman stand over here and got on us about how we don't dress professionally. Being professional is our responsibility up here to the constituents of the City of La Junta. I apologize to anyone I upset that evening. Lately its been getting very verbal and very much an attack to other people on this council. We are here to work as a team not as "I".

I have to commend the staff for the City of La Junta; they have been fantastic in getting stuff done. They're paid to and they're doing it professionally. There have been a lot of changes the past couple of years and it's been for the best.

I have been thinking about what are my responsibilities for someone sitting on City Council per our Charter. From our Charter, it says Powers of the Council, what we can and cannot do. Then under Council Acts, we're supposed to do rules and regulations and basically that's all we're supposed to do. The Council shall act only by ordinance, resolution or motion enacted at a regular or special meeting. Lately, there has been a lot of micro managing. We have no responsibility as an individual on this board to go and micro manage anybody in any department. We can go and ask questions. It seems like everything is falling out of whack professionally. It's not on anybody's shoulders to change anything. We do things as a team. We need to be more professional and not attack each other.

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Council Member Vela: I wanted to talk about Frank McKenzie. He's a humble man and he didn't report that about a month ago we worked on a yard. He is always hustling about what needs to be done. When we get to a job, he's always there. And he always does more than whats needed. I'm proud to have worked with him on the yards that we have done.

Council Member McKenzie: Thanks Ed. I was going to report on it tonight but I didn't get a chance to tally up exactly how many projects we had this year. From a year ago, we had more volunteers than this year.

Council Member Vela: I'd also like to commend a business on the west side of town called Valley Tire and Auto Sales. They did a beautiful facelift. They removed all of their old antiquated gas pumps and put in state of the art pumps. Jerry, Jeanette and Jim Martinez did very good and they did it with their own investment.

Council Member Velasquez: Council Member Goodwin did challenge the council to a work session regarding dogs and fireworks. I think we need to honor that request. We did make a commitment that we would talk about it.

Council Member Goodwin: Let's look into October for the work session.

Mayor Horner: We'll set a date in October for the work session at our next meeting. Next Thursday at Community Conversations at the Barista at 7:00 p.m., we are inviting all the Mayoral and Council people who are up for election to come to the Community Conversations at the Barista at 7:00 p.m. on September 14<sup>th</sup>.

I received from Alan Lassiter that there will be a group at the raceway on October 14<sup>th</sup> and 15<sup>th</sup>. They would like to become involved in some sort of community event, events that would pull people from our community to go out there. They would also be interested in doing some things that would benefit the school athletics or local charity groups. They're also talking about some Halloween kinds of things on that weekend.

I would like for the vacant property ordinance to be added to the next council agenda.

Council Member Vela: As an organizer over the last twenty years, I've done a few candidate forums. It's just not going to work at the Barista because it's too small. I won't participate in that one. People get turned away. I'm one of the regulars who goes there and some people look upon us as a clan. I just can't participate in that because I hate to see people turned away.

There being no further business, the meeting adjourned at 8:55 p.m.

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Lynn Horner, Mayor

ATTEST:

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Melanie R. Scofield, City Clerk