

*Subject to approval at
the January 7, 2019
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 Pruyn on Monday, December 17, 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 Vela gave the invocation.

ROLL CALL: The following Council Members were present:

- Eugene Mestas, Ward 1
- Jim Goodwin, Ward 1
- Elaine McIntyre, Ward 2 (arrived at 7:15 p.m.)
- Jeffri Pruyn, Mayor
- Shannon Lovato, Ward 2
- Edward Vela, Ward 3
- Scott Eckhart, Ward 3

Absent: none

- Also present:
- Bill Jackson, Asst. City Manager
 - Phil Malouff Jr, City Attorney
 - Melanie Scofield, City Clerk
 - Cynthia Nieb, UR/ED Director
 - Paula Mahoney, Administration
 - Todd Quick, Chief of Police
 - Aliza Libby-Tucker, Director of Finance
 - Joey Gacnik, Interim Fire Chief
 - Christian Weber, Fire Department
 - Aimee Hill, Engineering
 - Gary Cranson, ARPA Representative
 - Gayle Eveatt, La Junta
 - La Junta Fire Dept Employees
 - Beverly Babb, 1120 W. 12th St
 - 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 3, 2018. Council member Vela wants added at the very beginning regarding the La Junta High School being recognized etc., before that it should say: "At the invitation of Councilman Vela the La Junta High School football team was recognized for their achievement in becoming the 2A Champions." Also, in the minutes of the previous meeting, Council Member Vela asked questions during the City Manager's comments; "It needs to be written so we can identify what my questions were because from the minutes I didn't know what it was I was talking about." The Mayor declared the minutes approved with the aforementioned additions.

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

1. There was no citizen participation.

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NEW BUSINESS

A. **Liquor Licenses.**

1. **Application for a Special Events Permit by La Junta Elks Lodge #701, James Parsons, Event Manager. The event is a New Year's Eve Celebration to be held December 31, 2018 from 8:00 p.m. to midnight at 119 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 ELKS LODGE #701 FOR AN EVENT TO BE HELD DECEMBER 31, 2018 FROM 8:00 P.M. TO MIDNIGHT AT 119 COLORADO AVENUE: Mestas

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Goodwin and McIntyre absent)

2. **Application for Renewal of a Hotel & Restaurant Liquor License by Robert Lai Lee, d/b/a New China Restaurant, 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 HOTEL & RESTAURANT LIQUOR LICENSE BY ROBERT LAI LEE, D/B/A NEW CHINA RESTAURANT, 414 W. 1ST STREET: Mestas

SECOND: Eckhart

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Goodwin and McIntyre absent)

- B. **Clean Valley Recycling Independent Contractor Agreement.** The Mayor commented that we would like to start the program on January 1st. Anyone who wants to participate in Clean Valley's program right now gets colored bags for cardboard and plastic. They pick up twice a month and swap out your full bags with empty bags. Anybody who wants to participate will get those bags as part of your monthly fee. The City will charge \$7.00 and submit \$6.50 to Clean Valley and retain the other \$0.50 for the City's administrative costs. The charge will appear on their monthly utility bill.

7:15 P.M. - COUNCIL MEMBER MCINTYRE JOINED THE MEETING.

City Attorney Malouff: This is a contract between the City and the recycling company. Charges that the City imposes on customers don't appear in here, nor would it. They are two separate things. This document that I will be asking you to authorize is simply the relationship with the City and the recycling entity. It is not a complete overview of the entire program.

Council Member Vela: I am curious regarding the Utility Board in this matter and why its coming before us. The charge will come out on your utility statement

City Attorney Malouff: The Utilities Board sets rates, so they were the ones who had to approve of the dollar amount. Otherwise, we (Council) are the governing body who actually signs the contracts.

The Board of Utilities Commissioners is an overseer based upon provisions in the Charter, which do not include this kind of an arrangement. That's why it's not going to the Utilities Board its coming to City Council. The rate being charged to receive this service is not a traditional rate that is defined by the Charter to be something that the Utilities Board would oversee. It is a user fee not a rate.

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MOTION TO APPROVE THE CLEAN VALLEY RECYCLING INDEPENDENT CONTRACTOR AGREEMENT: Lovato

SECOND: Eckhart

DISCUSSION: There was no further discussion

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

C. Board Appointments.**1. Tourism Advisory Board****a. Rick Wallner (term to expire 12/31/2021)**

MOTION TO APPOINT RICK WALLNER TO THE TOURISM ADVISORY BOARD: Vela

SECOND: Mestas

DISCUSSION: There was no discussion

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

b. Tracey Salzbrenner (term to expire 12/31/2021)

MOTION TO APPOINT TRACEY SALZBRENNER TO THE TOURISM ADVISORY BOARD:
Lovato

SECOND: Eckhart

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Goodwin absent; McIntyre abstained)

D. First 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.

DISCUSSION:

City Attorney Malouff: In consideration of items D and E, there have been substantial and lengthy negotiations going on between Mr. Jackson, Mr. Klein and myself on behalf of the City along with Mr. Nichols, Mr. Fowler and Mr. Babb on behalf of the La Junta Rural Fire District to merge and consolidate some portions of those operations. It is a very lengthy, difficult proposition. The intention is to bring the fire fighting services within the mantle of the City. Leave the ambulance services under the mantle of the La Junta Rural Fire Protection District. Rural Fire will pay the City, dollar for dollar reimbursement, for what it will cost for the City to have these individuals as employees of the City.

There's already a very complicated agreement that is in affect that defines the relationship between the Fire District and the City with regard to equipment, maintenance, etc. This will be an expansion of the original agreement. All fire fighting employees will be employees under the City personnel system, merit board, policy and under the City Manager. The ambulance will stay where it's at. The John Fisher Hose Company will continue as a separate district. The volunteer fire fighters will be under the Rural Fire District.

In terms of paid employees, maintenance of the equipment, operations of the equipment – that will all be part of the City. This will also help out with efficiencies for the Fire Department, including wages. So, the budget that you've already passed for 2019 will have to be tweaked which is one ordinance. The other is the 2018 year end clean up which also includes Fire Department expenses.

Council Member Vela: Are we going to have an increase in the fire fighters pay? We seem to just be a farm for the metro cities.

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City Attorney Malouff: Yes, with this consolidation it's going to allow us to increase their salaries. This is something that Rick and Bill have really targeted.

Interim Fire Chief Gacnik: Previously, we have been a full time fire and EMS department consisting of Chief, Captain and six engineers. This lines out to be one day on, three days off for engineers. With that minimum number of staff, they are further required to fulfill some very demanding on call requirements. On their first day off, any time the page goes off, they either have to call in or come to the station, followed by two days off. However, with such a small staff to begin with, those two additional days off were still on call days for any fire or auto accident.

Over the last five years, our call volume has increased exponentially. We're right on track to hit 2,100 calls for service. So that makes the men and women of the department literally on call for 365 days a year. With the restructuring and addition of staff, we're able to add two command staff which will work Monday through Friday handling the day to day operations. We'll have eight full time engineers which will allow for two on duty every day. With the addition of three EMS providers, that'll give us five days a week of 24 hour EMS coverage.

This is going to not only help us recruit people but to also retain the people we've got. To hire one engineer it takes about three months of Monday through Friday, 8:00 – 5:00 time, which is expensive to us and the City. All the things that need to get done on a daily basis gets put off. And when we're constantly turning and burning people, it's just a repetitive cycle. We're always training somebody just so they can leave a couple months later.

Voting in favor of this would mean a lot to us. In addition to that, there are 12,500 people in this district that are going to benefit from this positive vote.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Vela

SECOND: Lovato

DISCUSSION: There was no further discussion

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

- E. First 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 FIRST READING: Lovato

SECOND: McIntyre

DISCUSSION: There was no further discussion

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

F. Committee/Board Reports

1. Council Member Vela (Sr. Citizens Board):
 - No report. The Board hasn't had a meeting since our last Council meeting.
2. Council Member Vela (Design Comm.):
 - Plan to aggressively proceed in March in beautifying the downtown area.
 - Have one more owner contact to make to get approval concerning the alley between Colorado and Santa Fe from the Highway to 2nd Street.
3. Council Member Vela: Just heard some discouraging news. I read the paper last Monday and it said that there's a fugitive out in the La Junta area. Then there was a lady who commented to the newspaper about various happenings in La Junta that she was not happy with. Then there was a

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dispute with Big R and who has jurisdiction there. So I put the paper down and turned the TV on to watch the national news and it said there was a counselor at Camp La Junta in Michigan who was abusing children there. How did Michigan get that name? It's a sore eye for our town with everything we're trying to do to build it up and get people involved. How difficult is it to get Big R into the City limits?

City Attorney Malouff: That's a really complicated thing. We could probably force the issue if we met some statutory requirements. There is a strip that goes east to west along the highway parallel on the south side. That's what allowed Wal-Mart to become annexed to the City. Even if the statutory requirements are met, the property owner still has to want it.

Council Member Vela: I ask because that's a lot of sales tax money going through there that we're not getting.

City Attorney Malouff: My guess is, we wouldn't come close to making the 1/6th contiguity. There's ways to get around that but without the landowner's cooperation, we could never accomplish that. When we made that strip and annexed that in, I personally went to every single property owner and asked them if they would agree to annex into the City. Some of them said yes, some of them said no.

4. Council Member Vela: I recently went to a CML meeting. I'll share my education with you all next week or when we get back. Anyway, they had everyone introduce themselves and I was third in line. So I stood up and said, "Edward Vela, City Councilman, home of the 2A La Junta High School Tiger Champions." All were yelling and screaming and whistling. I was so very proud. The recognition of La Junta is what I liked about it. It was just like a pep rally.
5. Mayor Pruyn: Piggy backing on your story, my sister works in an attorney's office in Denver and she said that someone who works with her met this lady who works for the Town of Granby or does work for them. She said to make sure and tell us that La Junta is the talk of the mountain towns! Also, on a different note, just a few days later, Chief Quick and the guys picked up that fugitive. So that's good news too.

A. City Manager's Comments

1. Assistant City Manager Bill Jackson shared that the Employees Association put on a great party.
2. The fountain pump at the park is broken.
3. Our State Champions were honored at the Bronco game.

B. City Attorney's Comments

1. Always a privilege.

C. Governing Body's Comments

1. Council Member McIntyre:
 - Wish everyone a Merry Christmas. Look forward to a good coming year.
2. Mayor Pruyn:
 - The students at Goal Academy have been cleaning up trash in the downtown area. They've been working on the corner of 3rd and Santa Fe. Goal Academy wants to bring these kids in and teach them how to be part of their community, how to get involved and to be proud of where you live.
3. Council Member Lovato:
 - Also, on December 1st, we teamed up with the Rocky Ford Fire Department and the American Red Cross. We installed free smoke detectors to anybody that wanted them (in a certain area). The kids were actually the ones that were knocking on doors, introducing themselves and then doing the installation. The adults went through an escape plan.

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4. Council Member Vela: On behalf of Council, Captain Chief Gacnik, you have a fine looking group here

MOTION TO MOVE INTO AN EXECUTIVE SESSION FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. §24-6-402 (4)(e): Vela

SECOND: McIntyre

DISCUSSION: There was no discussion

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

Council went into Executive Session from 8:04 p.m. until 8:36 p.m.

There being no further business, the meeting adjourned at 8:36 p.m.

CITY OF LA JUNTA

Jeffri Pruyn, Mayor

ATTEST:

Melanie R. Scofield, City Clerk