

ALAMOSA CITY COUNCIL  
Wednesday, February 17, 2010  
Minutes of the Meeting

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Kathy Rogers at 7:04 p.m. The Pledge of Allegiance was recited. Present at roll call: Mayor Rogers, Councilors Greg Gillaspie, Charles Griego, Josef Lucero, Leland Romero, and Marcia Tuggle. Councilor Rusty Johnson previously requested to be excused. A quorum was declared. Also present: City Manager Nathan Cherpeski, City Attorney Erich Schwiesow, and City Clerk Judy Egbert.

AGENDA APPROVAL. Ms. Egbert pointed out that the February 1, 2010 minutes should reflect a special meeting, while the February 3, 2010 minutes a regular meeting. It was moved by Councilor Griego and seconded by Councilor Gillaspie to approve the agenda as presented. On the roll call the vote was ayes six, nays none. The motion carried.

CITIZEN COMMENT

A. Audience Comments

Don Thompson thanked Council for accepting grant funds that allowed HPAC members to attend a workshop.

Jan Oen spoke in support of the Colorado Tree Coalition Grant that is on the agenda for acceptance.

B. Follow-Up None required.

CEREMONIAL ITEMS

A. Proclamation – National FFA Week February 20 – 27, 2010.

Mayor Rogers presented the Proclamation to FFA students, who told Council of events celebrating this event.

CONSENT CALENDAR A. It was moved by Councilor Tuggle and seconded by Councilor Lucero to approve Consent Calendar A as presented. On the roll call the vote was ayes six, nays none. The motion carried. Items:

- January 2010 Report of Expenditures
- Acceptance of Colorado Tree Coalition Grant
- Minutes of Special Meeting February 1, 2010
- Minutes of Regular Meeting February 3, 2010
- January 2010 Monthly Reports
- City Attorney Contract Renewal
- Ranch Lease Extension with Alan Simpson

REGULAR BUSINESS

A. Presentations from Outside Agencies

1. Census 2010, Barry Shiohita

Mr. Shiohita represented the local Complete Count Committee, and presented Census information.

2. Boys & Girls Club Update, Frank Martinez

Mr. Martinez thanked Council for past financial support. Children presented art projects to Council members.

3. SLV Museum Update, Dorothy Brandt, Dave Stong, Mary Hoffman

Mrs. Brandt and Mr. Stong told Council of the ASC Community Partnership program that promotes local arts through the museum and Sheriff's office.

B. Board/Commission Business

1. Committee Liaison Assignments

Clarifications and changes were made as follows:

- Councilor Lucero will attend Development Resources Group meetings until the Council of Governments is formed
- Councilor Lucero will be liaison to the Marketing Board
- Councilor Romero will continue as School District liaison

It was moved by Councilor Gillaspie to assign committee liaisons as amended. Discussion interrupted, noting several meeting times that were incorrect. In addition, Councilor Tuggle offered to act as alternate liaison to the Housing Authority. The motion was restated with the new amendments, and was seconded by Councilor Romero. On the roll call the vote was ayes six, nays none. The motion carried.

C. Business Brought Forward by City Staff

1. Public Works

a. Continuation of Public Hearing - Ordinance No. 15, 2009, An Ordinance Approving the Annexation of Murphy Theaters, Inc. Annexation Petition for the Annexation of a Parcel of Land Located in the NW ¼ of the Section 5, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa, County, Colorado

This public hearing was originally opened on December 16, 2009, and continued to allow the annexation agreement to be completed.

Mayor Rogers reopened the hearing at 7:46 p.m. and asked for those wishing to speak on this ordinance. There being none, the hearing closed at 7:47 p.m.

It was moved by Councilor Gillaspie and seconded by Councilor Lucero that Ordinance No. 15, 2009 be finally adopted. On the roll call the vote was ayes six, nays none. The motion carried.

4. Parks/Recreation/Library

b. Resolution No. 4, 2010, A Resolution Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant From the State Board of the Great Outdoors Colorado for Funding to Construct a Skate Park in Cole Park.

Mr. Bergann presented information on this grant application, including the skate park design.

It was moved by Councilor Lucero and seconded by Councilor Romero to adopt Resolution No. 4, 2010. On the roll call the vote was ayes five (Romero, Tuggle, Gillaspie, Lucero, Rogers), nays one (Griego). The motion carried.

8. City Manager/Legal

c. Public Hearing, Ordinance No. 1, 2010, An Ordinance Amending, In Part, The Established Pay Plan For City Officers and Employees as Referred to in Section 15-2 of the Code of Ordinances, Concerning Personnel Rules and Regulations and Pay Plan for City Officers and Employees

This ordinance makes a clerical correction to the pay range for Police Officer.

Mayor Rogers opened the public hearing at 7:56 p.m. and asked for those wishing to speak on this ordinance. There being none, the hearing closed at 7:57 p.m.

It was moved by Councilor Griego and seconded by Councilor Gillaspie to finally adopt Ordinance No. 1, 2010. On the roll call the vote was ayes six, nays none. The motion carried.

d. First Reading, Ordinance No. 2, 2010, An Ordinance Extending the Current Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of any Application for a City of Alamosa Sales Tax Permit or License, or for any Use of Property Within the City of Alamosa Related to the Operation of a Business That Sells Medical Marijuana Pursuant to the Authority Granted by Article 18, Section 14 of the Colorado Constitution

Staff and Council have continued to work toward developing regulations. However, an ordinance will not be in place when the moratorium expires on March 4. This ordinance extends the moratorium an additional 90 days.

It was moved by Councilor Gillaspie and seconded by Councilor Tuggle to introduce Ordinance No. 2, 2010 on first reading and set a public hearing thereon for Wednesday March 3, 2010 at 7:00 p.m. or as soon thereafter as the matter may be heard. On the roll call the vote was ayes six, nays none. The motion carried.

E. Committee Reports

Councilor Gillaspie reported on the Finance Committee meeting last week.

Councilor Lucero reported on the recent Ranch Board meeting. Jon Brownell will replace Carol Redding as Chair. The board also discussed weed control and board appointments.

Councilor Tuggle reported on the Senior Citizens meeting, inviting community members to join the group on an upcoming trip to Laughlin; and on the Recreation Board's meeting, largely focused on summer programs and the skate park planning.

F. Staff Announcements

Mr. Cherpeski announced a need for an Executive Session for the purpose of property acquisition.

Ms. Egbert announced:

- She will have an update on liquor legislation in the Friday Update.
- ASC has suggested the first or third Monday for a regular meeting date, with meetings to be held at an interval acceptable to Council. Council chose the third Monday, with April 19 as the first meeting.
- The request has been sent to Alamosa County and the School District for a structured meeting time also, but she has not received a response yet. Barry Shiohita was present and said that the County was available on Monday mornings as well.

- The board and commission recruitment process is underway. Council agreed to hold interviews on May 12, 2010.
- The Special Meeting on March 1 was discussed. This meeting is needed to conduct a first reading on the financing ordinance for the City Complex facility. Council agreed by consensus to hold this meeting at 4:00 p.m.
- The date for the public hearing on the same ordinance was chosen as March 11, 2010 at 4:00 p.m.

#### LOCAL LIQUOR LICENSING AUTHORITY ACTIONS

##### A. Consent Calendar B

It was moved by Councilor Tuggle and seconded by Councilor Gillaspie to approve Consent Calendar B as presented. On the roll call the vote was ayes five, nays none. Councilor Griego abstained as the spouse of a liquor license holder. Items:

- Special Events Permit Application – SLV Early Iron 9/3/10 9/4/10 9/5/10
- Special Events Permit Application – SLV Arts & Entertainment Committee SummerFest on the Rio 6/4/10 6/5/10 6/6/10
- Hotel/Restaurant License Renewal – Thai House

#### COUNCIL COMMENT

Councilor Tuggle noted that Ride the Rockies would be in Alamosa on June 18, and encouraged merchants to be prepared. Ms. Egbert added that Bicycle Tour of Colorado would be here also on June 21.

In response to a question from Councilor Romero, Mr. Cherpeski said that information on levee options will be presented to citizens, with an opportunity for public input. Council suggested that the Corps of Engineers be invited to attend the public input session.

In response to a question from Councilor Gillaspie, Chief Jackson reported that the mobile data test unit is working very well, and full implementation will be forthcoming.

Councilor Lucero spoke about the Adams State construction project.

#### EXECUTIVE SESSION. CRS §24-6-402(4)(a)

It was moved by Councilor Lucero and seconded by Councilor Gillaspie to move into Executive Session (8:46 p.m.) pursuant to CRS §24-6-402(4)(a) for the purpose of discussing acquisition of real property. On the roll call the vote was ayes six, nays none. The motion carried.

When back in Regular Session, Mayor Rogers confirmed that the Executive Session was held solely for the stated purpose.

ADJOURNMENT. The meeting adjourned immediately following the Executive Session.

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Judy A. Egbert, City Clerk

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Kathleen J. Rogers, Mayor