

ALAMOSA CITY COUNCIL
Wednesday, April 21, 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 7:03 p.m. The Pledge of Allegiance was recited. Present at roll call: Mayor Rogers, Councilors Greg Gillaspie, Charles Griego, Rusty Johnson, Josef Lucero, Leland Romero, and Marcia Tuggle. A quorum was declared. Also present: Assistant City Manager Don Koskelin, City Attorney Erich Schwiesow, and City Clerk Judy Egbert.

AGENDA APPROVAL. Ms. Egbert requested that the Knights of Columbus Special Events Permit applications should be removed due to inadequate posting. It was moved by Councilor Griego and seconded by Councilor Romero to approve the agenda as amended. On the roll call the vote was ayes seven, nays none. The motion carried.

CITIZEN COMMENT

A. Audience Comments

Leon Moyer spoke regarding:

- The continuing deer problem.
- Library computers are slow.
- The Special Event Permit Liquor poster at ASC is inadequate.
- Special Events Permit applications need to prove that there is no other venue available.
- The City Clerk did not immediately respond to his open records request today.

Dennis Lopez asked Council to reconsider introducing Ordinance No. 6 or delay it to a future date.

Shawn Cody, high school social studies teacher, supported the Get R!EAL students.

B. Follow-Up

Ms. Egbert clarified that the posting at the Knights of Columbus was in fact inadequate, and this particular application will be withdrawn, and another resubmitted for a future meeting. The poster at ASC was on the front door, visible from the exterior, and in compliance.

Keith Cerny, with the ASC Grizzly Club, presented photos of the poster. The event is "Back to Plachy" commemorating the renovations there, and as such was the appropriate venue.

Mayor Rogers clarified for Dennis Lopez that the tastings ordinance will have a public hearing opportunity if introduced tonight.

CEREMONIAL ITEMS

A. Mayor Rogers presented the proclamation to Tree Board Chair Marilyn Loser, who spoke of upcoming events.

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

- Historic Preservation Advisory Committee Annual Report 2009
- March 2010 Expenditure Report
- Minutes of Regular Meeting April 7, 2010
- March 2010 Monthly Reports

REGULAR BUSINESS

A. Presentations from Outside Agencies

1. Get R!EAL – Proposed Ordinance to Limit Smoking in Public Places

Ortega Middle School students presented a request to Council to prohibit smoking in public places, specifically parks. They cited second hand smoke and litter as issues. They told of six letters of support and seven partnerships.

Police Chief John Jackson said that enforcement would be a challenge. It isn't a good idea to have an ordinance in place and do selective enforcement. The students went on to say that they believed it would be self-enforcing and offered to pay for signage. A compromise such as a smoking area for large events may be an idea.

The students presented a garbage bag full of cigarette butts collected from the playground and ball field area of the park. They presented results of a survey, showing support for the requested ordinance.

Staff reported that the Recreation Board had heard this request, and recommended voluntary compliance through education and signage, rather than an ordinance.

Council asked for a work session to discuss this issue further.

C. Business Brought Forward by City Staff

7. City Clerk/Municipal Court

b. Update and Potential Action Regarding Ordinance No. 4, 2010 Referendum Petition

Ms. Egbert told Council that she has determined the petition submitted to repeal Ordinance No. 4, 2010 as sufficient. The next step in the process is to wait out the 40-day protest period. This period will extend to May 26, 2010. After that time, Council will be asked to either repeal the ordinance or set the matter for a special election.

A special election would be coordinated with the County's primary election. This will reduce the cost significantly, and potentially increase voter turnout.

E. Committee Reports

Councilor Johnson echoed Marilyn Loser's comments from the Tree Board meeting.

Councilor Lucero noted that the marketing district had met, awarding funds to the Ranch Board for signage, for Ride the Rockies, and for the Habitat fundraiser bike ride. The Ranch Board has requested to be on the next agenda to discuss weed control.

Councilor Romero told of the progress on the new school building.

The Recreation Board is working on a skate park grant. The Golf Board is working on corporate memberships.

F. Staff Announcements

Mayor Rogers noted that Nathan Cherpeski is at the Rocky Mountain leadership program this week, saying that it was an honor to be accepted into the program.

Don Koskelin told of the work underway on State Avenue. This is part of a three-year project to replace the cast iron waterlines that are about 100 years old. Most of the waterline work is done, and sewer will begin next week. The concrete work is well underway too. Paving is planned the second week of May. The area north of Blue Peaks is a full reconstruction, and will begin after Summerfest. The water tower project is progressing as well. There is no hot mix available yet for pothole repairs. The spray patch machine works well only for limited types of repairs, but that is being used when appropriate. In response to a question from Council, Mr. Koskelin said that temporary repairs to San Juan from Main to 6th will be done, but the full repair will come after the waterline work.

Ms. Egbert updated Council on the status of board appointments, and asked Council to help spread the word that opportunities were available.

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 amended. On the roll call the vote was ayes six, nays none. Councilor Griego abstained as the spouse of a liquor license holder. Items:

- Tavern License Renewal – Weekends
- Special Events Permit – ASC Grizzly Club 5/22/10
- Special Events Permits – Chamber of Commerce, Rodeo 6/25 and 6/26/10
- Change of Corporate Structure – Knights of Columbus
- Transfer of Ownership – Thai House

B. Liquor Licensing Items

7. Ordinance No. 6, 2010, An Ordinance Amending Chapter 10 Article II of the City of Alamosa Municipal Code Authorizing Tastings at Retail Liquor Stores and Liquor-Licensed Drugstores.

Ms. Egbert presented this ordinance, saying that this originated at the request of two liquor store owners. This draft is based on the criteria set out in the Colorado Liquor Code. Council may adopt provisions that are more restrictive if desired.

Council discussed various options for changing the restrictions as drafted. Dennis and Cheryl O'Dowd told Council of the control measures they intend to implement.

Staff will continue communicating with liquor stores in preparation toward the public hearing.

It was moved by Councilor Lucero and seconded by Councilor Tuggle to introduce Ordinance No. 6, 2010 on first reading and set a public hearing thereon for Wednesday May 5, 2010 at 7:00 p.m. or as soon thereafter as the matter may be heard. On the roll call the vote was ayes five (Lucero, Tuggle, Gillaspie, Johnson, Rogers), nays one (Romero). Councilor Griego abstained as the spouse of a liquor license holder. The motion carried.

COUNCIL COMMENT

Councilor Lucero commented on the changes to Stadium and Richardson, asking about traffic studies. Mr. Koskelin said that he had the studies on file. Since the action has already been taken to vacate, this would be difficult to un-do. There is still a possibility that Richardson could remain a two-way street.

Council asked for a work session regarding the ranch water rights.

Counselor Schwiesow reported that the Golf Board will be considering the timing of the water analysis, and will likely be after the golf season.

Councilor Tuggle recommended a "community leadership volunteer day" to have community leaders doing cleanup on the Ranch.

Councilor Romero reported that the parking lot west of Oscars has four lights out, and also a pothole in the south lot.

Mayor Rogers congratulated Trinidad State Junior College for its 85th anniversary. She also said that the deer do continue to be a problem, and perhaps staff can pursue conversations with the Division of Wildlife to see what options are available. Mr. Koskelin said that the City could prohibit feeding deer, but other options are very limited. The controlled hunt did not work. Council asked that Division of Wildlife be invited to a meeting for further conversation.

Mayor Rogers commended Mr. Cherpeski for his participation in the Rocky Mountain Institute.

ADJOURNMENT. The meeting adjourned at 8:45 p.m.

Judy A. Egbert, City Clerk

Kathleen J. Rogers, Mayor