



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad, Colorado, will be held on Tuesday, January 7, 2014 at 7:00 P.M. in City Council Chambers at City Hall

The Honorable Bruce A. Billings, Las Animas County Court Judge, will administer the Oath of Office to Joseph A. Reorda as Mayor, Liz Torres, Anthony Mattie, Pat Fletcher, and Michelle Miles as Council Members

****PROCLAMATION – LINDA BARRON DAY – JANUARY 8, 2014****

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPOINTMENTS**
 - a) Appointment of Mayor Pro-Tem
 - b) Appointment of Municipal Judge
 - 1) Administration of Oath of Office
 - c) Appointment to South Central Council of Governments Board (member of Council, coincident with term (currently held by Councilmember Anthony Mattie))
 - d) Appointment to the Southern Colorado Economic Development District (SCEDD) Board of Directors (Louis Fineberg, Planning Director)
 - e) Appointment to the Arkansas River Power Authority Board of Directors (formerly held by Franklin Shew)
 - f) Appointment to the E911 Authority Board
 - g) Appointments to the Arts & Culture Advisory Commission
 - h) Appointment to the Parks & Recreation Advisory Committee
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **COUNCIL REPORTS**
- 5) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 6) **MISCELLANEOUS BUSINESS**
 - a) Retail liquor store license renewal request by Linda T. Anderson Barron d/b/a Mountain Liquor & General Store at 1144 Robinson Avenue
 - b) Designation of public places for posting of notice of meetings
 - c) Appeal from a decision of the Planning, Zoning and Variance Commission filed by Lex and Alyce Vollmer, Application #2013-15, Request for variance to place an accessory structure with a 4/12 roof-pitch and to exceed the allowable square footage of accessory structure, located at 203 E. North Avenue
 - d) Acceptance of Affidavit of Surrender of the state and local liquor licenses of LMR, Inc. d/b/a Purgatoire & A Little Catering Company
- 7) **EXECUTIVE SESSION**
 - a) For discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402(4)(d) – Discussion of policies regarding future security measures
 - b) For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Informal discussion regarding City Manager/City Council relationship
- 8) **ADJOURNMENT**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Audra Garrett, City Clerk, 135 N. Animas Street, Phone (719) 846-9843, or FAX (719) 846-4140. At least a 48 hour advance notice prior to the scheduled meeting would be appreciated so that arrangements can be made to locate the requested auxiliary aid(s).

Office of the Mayor
Trinidad, Colorado
Proclamation



"LINDA BARRON DAY"
January 8, 2014

WHEREAS, Linda Barron, a resident of Las Animas County, has contributed much toward the enhancement of American patriotism within this community through her active role in military and veteran appreciation; and

WHEREAS, throughout her life, Linda has touched the lives of many of our veterans through her outreach to recognize and honor our military heroes; and

WHEREAS, through her involvement with numerous civic organizations, Linda Barron has created a network of volunteers to assist with many causes, including sending gifts to soldiers at Christmas time; an annual Veterans' Day luncheon; gathering and delivering supplies to firefighters during local natural disasters; feeding stranded travelers; and raising money for local youth activities and programs; and

WHEREAS, Linda Barron has been a long-standing, renowned member of Las Animas County through her own businesses, Mountain Liquor and General Store and Whiskey Creek Ranch, and through her affiliation with the Local VFW, Aguilar's American Legion Post 42, the American National Rotary Club, the Trinidad & Las Animas County Chamber of Commerce, Kiwanis, the Boy Scouts of America, the former Red Cross, and many other worthy organizations. With the collaboration of these organizations, she has promoted patriotism by honoring fallen soldiers and those serving our country today. Linda has heightened the community's awareness of the sacrifice American veterans have made to ensure our freedoms.

NOW, THEREFORE, I, JOSEPH A. REORDA, MAYOR OF THE CITY OF TRINIDAD, COLORADO, on behalf of the Trinidad City Council do hereby proclaim January 8, 2014, as:

"LINDA BARRON DAY"

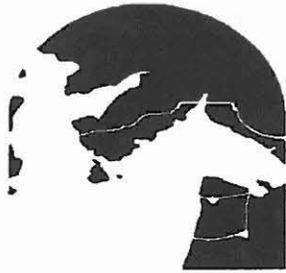
in the City of Trinidad, Colorado, in acknowledgement and gratitude to Linda Barron for her many contributions to the veterans and citizens of Trinidad and Las Animas County.

*In witness whereof I have hereunto set my hand
and caused the seal of this city to be affixed.*

Mayor _____

Date _____





CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2a

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Tom Acre, City Manager
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS:

SUBJECT: Appointment of Mayor Pro-Tem

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Appointment of Mayor Pro-Tem

SUMMARY STATEMENT: Chapter IV, Section 4.7 of the Home Rule Charter requires the Mayor Pro-Tem be appointed by Council from its membership at the first regular meeting after January 1 following each regular City election; that the term be two years; and, that the Mayor Pro-Tem only serve one term.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

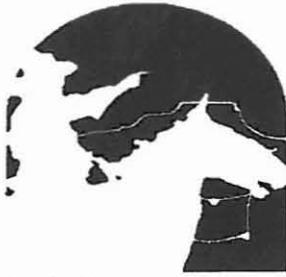
POLICY ISSUE: The appointment and parameters of the Mayor Pro-Tem is outlined in Section 4.7 of the Charter and summarized above.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

This is a requirement of the Home Rule Charter.

2a



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

26

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Tom Acre, City Manager
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: Appointment of Municipal Judge

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Appointment of Municipal Judge

SUMMARY STATEMENT: Chapter VII, Section 7.4 of the Home Rule Charter requires the Municipal Judge be appointed by Council for a specified term of not less than two (2) years. The Council may re-appoint the Municipal Judge for a subsequent term of office which expires on the date of the organization meeting of the Council after the next Regular Municipal Election.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: The appointment and parameters of the Municipal Judge is outlined in Section 7.4 of the Charter and summarized above.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- This is a requirement of the Home Rule Charter.
- A letter seeking reappointment is attached from John E. Garcia who has served as the Municipal Court Judge since 1984.

26



CITY OF TRINIDAD

MUNICIPAL COURT

JOHN E. GARCIA, PRESIDING JUDGE
135 N. ANIMAS STREET, P.O. BOX 880
TRINIDAD, COLORADO 81082
TELEPHONE (719)846-9843 FAX (719) 846-4140



December 18, 2013

Mayor Joseph Reorda
City Manager Tom Acre
Members of City Council

Dear Sirs and members of council:

Please consider this letter a formal request for my reappointment as Municipal Judge for the City of Trinidad. Since my initial appointment I have made it a priority to insure that the office of Municipal Court is operated in the most efficient manner. Because I am involved in the operations of the court system, this provides me with the means to make changes that are necessary in order to keep the Municipal Court office current on recent changes within the Colorado court system.

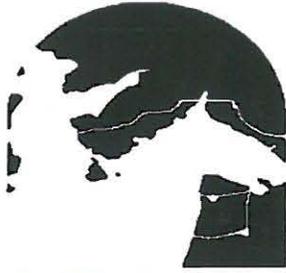
I have enjoyed serving the citizens of Trinidad and wish to continue serving them in this capacity. Thank you for your consideration of this appointment.

Sincerely,

A handwritten signature in cursive script that reads "John E. Garcia".

John E. Garcia
Municipal Judge

JG/km



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2c

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 0

SUBJECT: Appointment to South Central Council of Governments Board (member of Council, coincident with term (currently held by Councilmember Anthony Mattie))

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Designate someone to fill the seat

SUMMARY STATEMENT: Pursuant to an agreement with SCCOG, the appointee shall be a member of Council and the term shall be coincident that that person's term on City Council

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a requirement of the SCCOG Contract.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Councilmember Mattie was appointed in October, 2012 to fill the unexpired term of John Rino.

2c



COUNCIL COMMUNICATION

2d

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 0

SUBJECT: Appointment to the Southern Colorado Economic Development District (SCEDD) Board of Directors (Louis Fineberg, Planning Director)

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Consider re-appointment of Louis Fineberg

SUMMARY STATEMENT: The County, as a member of SCEDD, is authorized to appoint two voting members to the SCEDD Board of Directors; Las Animas County and the City of Trinidad have agreed that each entity would nominate an individual to be appointed as a member of the Board representing Las Animas County.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

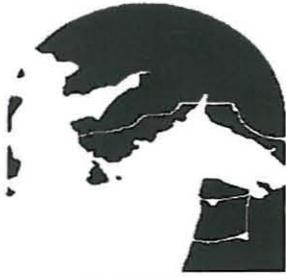
POLICY ISSUE: This is pursuant to an agreement with Las Animas County.

ALTERNATIVE: Council could consider someone instead

BACKGROUND INFORMATION:

- Louis Fineberg has served on the City's behalf since, January, 2011.
- Louis is on SCEDD's Strategy Committee, Executive Committee and has been selected to serve as Chairman for 2014.
- This is a one-year term.

2d



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2e

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Appointment to the Arkansas River Power Authority Board of Directors (formerly held by Franklin Shew)

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Designate someone to fill the unexpired term of Franklin Shew to 12/31/2015

SUMMARY STATEMENT: The Organic Contract requires each municipality of ARPA to appoint two members to the ARPA Board of Directors.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a requirement of the ARPA Organic Contract.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Franklin Shew was appointed to fill the unexpired term of Jim Soltis in 2010 and has served since.
- The second appointee is Councilmember Michelle Miles, whose term expires 12/31/2017.
- Councilmember Shew chose to resign at the conclusion of his term on City Council, although it was required that he do so.
- The contract requires that "Each Director so appointed shall be a citizen and resident of the appointing Municipality, or a customer receiving electric service within the appointing Municipality's service area."

2e



City of Trinidad, Colorado

Office of the City Attorney
135 North Animas Street
Trinidad, CO 81082
P: (719) 846-9843
F: (719) 846-4140

To: Mayor-elect Reorda, and Members of City Council
From: Franklin Shew
Re: My term on the ARPA Board of Directors
Date: December 31, 2013

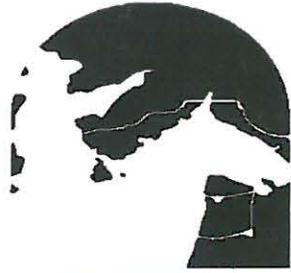
Dear Mayor Elect Reorda and Members of City Council:

In light of the fact that my term on City Council is set to expire, it seems to make the most sense for me to resign from the ARPA Board as well. So, please allow this letter to serve as my resignation from the ARPA Board of Directors. My resignation can be considered effective immediately.

It has been a pleasure serving in both capacities, as City Councilman and as an ARPA Board member. I wish you all the best of luck in the future.

Sincerely,

Councilman Franklin Shew



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2f

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 2

SUBJECT: Appointment to the E911 Authority Board

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Consider re-appointment of Nick DeBono

SUMMARY STATEMENT: Pursuant to an agreement with Las Animas County, the City and Council are entitled to appointees to the E911 Authority Board.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a requirement of the E911 Agreement.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- A letter from Nick DeBono seeking re-appointment is attached. He has served one three-year term since January, 2011.
- Also attached is a letter recently received from Sheriff James Casias asking Council to re-appoint Mr. DeBono.

2f

December 2, 2013

Mayor, City of Trinidad
City Council of Trinidad
135 N. Animas Street
Trinidad, Colorado 81082

Re: Application for Re-Appointment to serve on the E-911 Authority Board

Dear City Mayor and City Council,

My name is Nick DeBono and I am currently a member of the E-911 Authority Board with a term that is set to expire on December 31, 2013. I have been an active member for 5 years and have attended all budget meetings while serving as an appointed E-911 member.

I served as a former police officer for 11 years for the City of Trinidad and have served as an elected City Councilman for 8 years.

It is my desire to be re-appointed as E-911 Authority Board member for another term to dedicate my time and efforts to serve the community.

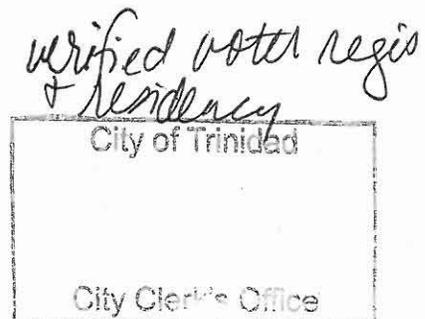
I would like to thank the City Mayor and City Council for giving me the opportunity to currently serve on the E-911 Board and look forward to the opportunity to be re-appointed.

Thank you for your consideration on this matter.

Best Regards,



Nick DeBono
212 W. Colorado Ave.
Trinidad, Colorado 81080
-719-846-1111





James W. Casias, Sheriff, Las Animas County
Derek J. Navarette, Undersheriff
Brandy R. Lucero, Jail Administrator
2309 East Main Street
Trinidad, Colorado 81082

City of Trinidad

City Clerk's Office

November 20, 2013

Mr. Les Downs
City Attorney
135 North Animas Street
Trinidad, Colorado 81082

Ref: Notification of E-911 Term

Dear Mr. Downs,

This is just a reminder that Mr. Nick DeBono's term on the E-911 Authority Board will be coming due on December 31, 2013. I am asking to have him re-appointed or if another appointment is made that it is done so before the first E-911 meeting on January 15, 2014.

Other City appointments that are fine are; Charles Glorioso, 03-31-14, David Barrack and Arsenio Vigil, 12-31-14. There will also be the addition of new members in 2014, which the signors of the IGA agreed would be appointed by the Las Animas County Board of Commissioners.

Enclosed you will find the signed IGA agreement of all members except the City and the County. I believe this is a valid agreement, as signed by the majority of the agencies belonging to the IGA. This has been submitted numerous times to all agencies attempting to have everyone on the same page, but it just has not worked out for whatever the reasons.

My term is coming due on March 31, 2014 and I will not be requesting to be re-appointed, and if the Board of County Commissioners wants they can replace me before then.

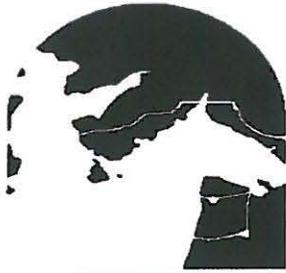
We, the Board has always tried to serve the Citizens of our City and County to the best of our ability to provide the most up to date system and services, and I know the Board will continue in their efforts.

Sincerely,

James W. Casias
E-911 Chairman

cc: Members of the E-911 Authority Board
IGA Signors

Sheriff's Office Phone (719) 846-2211 Fax (719) 846-0171 Detention Phone (719) 846-6453 Fax (719) 846-1504



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2g

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Andra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Andra Garrett*
OF ATTACHMENTS: 2

SUBJECT: Appointments to the Arts & Culture Advisory Commission

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Reappoint Bonnie Canizaro and Marilyn Leuszler to the Arts & Culture Advisory Commission.

SUMMARY STATEMENT: The Arts & Culture Advisory Commission is an advisory board of the City.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Membership for all boards, committees and commissions is sought from the public at large. The Charter requires those who serve on City boards to be City residents for at least one year prior to appointment and that they are registered to vote.

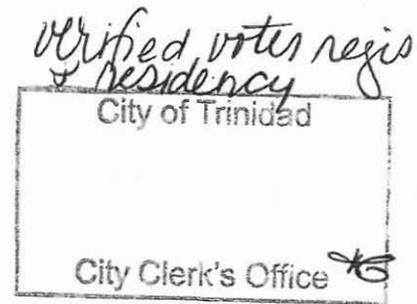
ALTERNATIVE: Seek additional applicants.

BACKGROUND INFORMATION:

- Both applicants had term expirations that expire 1/7/2014.
- Ms. Leuszler has served since 2/2012.
- Ms. Canizaro has served since 3/2013.
- There will still be three vacancies on this seven-member board with these re-appointments.
- Councilmember Carol Bolton is the City Council Liaison for this Commission.

2g

Arts and Culture Council
City Hall
Trinidad, Colorado



December 16, 2013

To Whom It May Concern:

It has been interesting serving on the Arts and Culture Council for the past several months. I would like to express my interest in continuing to serve on the Arts and Culture Council for Trinidad, Colorado. I have been interested in the arts for most of my life and would like to return some of the joy I have received from all the exhibits and other artistic endeavors by working for art and culture in my community.

I moved to Trinidad September 29, 2011 to serve as the new pastor for the United Presbyterian Church in the city. I grew up in Austin, Texas, and have been active in the Royal Court Players (drama group) in high school, won ribbons (including the tri-color for best in division) in flower shows, majored in speech and drama at Baylor University, and have read widely in many of the arts. Three of my daughters are artists, and two of them have a painting on display this month at the "Intensity" exhibit. Now I mostly take photographs, one of which was in the local paper.

In a book I wrote in 2003, *Seasons of Lovers* by Mary Carol Lewis (my pen name), I painted time as seen in nature with these words in "Not Alone."

"These majestic gray-green stones were not dropped from heaven.

Eons ago they were deposited in the bowels of the earth

Under the ground that became this magnificent mountain.

And little by little, as the centuries passed the upheavals came to stand them upright,

And the top soil washed away. And the wind and rain rubbed them smooth

And deposited sand at their base and turned them from white to gray

And the green tufts of moss and brown tatters of lichens attached to their thin stone skin...

And so what is this *time* I am concerned about? Creating and healing and change take time:

Sometimes eons, sometimes decades and sometimes weeks.

Now I am healing and creating and changing, and I am not alone."

Please consider my interest in serving on the Arts and Culture Council in Trinidad.

Sincerely,

Reverend Bonnie Canizaro
721 Pine St.
Trinidad, CO
(719) 422-8035

December 31, 2013

City Manager Acre,
Mayor Reorda,
City Council Members Bolton, Bonato, Fletcher, Mattie, Miles and Torres,

It has been my pleasure to serve on the Trinidad Arts and Cultural Advisory Commission and I respectfully request that my term be extended. I am currently the Chair of the commission and would like to help continue the momentum of this group as Trinidad embraces the arts as part of its economic plan moving forward.

During the fifteen years I've lived in Trinidad, I was active on the Trinidad Area Arts Council, where I chaired the Arts in the Schools Program for six years, taught art at the Alternative High School, the Upward Bound and College for Kids Programs at TSJC, and through the Mitchell's Summer Arts Academy.

Over the past two years, I have been actively involved in the state's OEDIT Colorado Blueprint, Region 14 and the USDA's SET Program (Stronger Communities Together), partnering Huerfano, Las Animas and Colfax (NM) Counties to increase the region's economic development. I have been on the Creative District Steering Team from its inception and helped Trinidad become certified as the Corazon de Trinidad Creative District in June of 2013. I have been on the Planning Committees for the 2013 and 2014 Creative Industries Summits. I serve on the AR Mitchell Museum's Board of Directors as Vice President. I am Western States Coordinator for a Philadelphia nonprofit organization that delivers art supplies to underfunded public schools. In this role, I have been successful in adding children's art to the program from Denver and Trinidad and am currently working on a project at the Santa Fe Indian School in Santa Fe.

The state involvement gives me a broad prospective of that level of economic health and how it might also help Trinidad at the local level. The Arts and Cultural Advisory Commission, which houses our Creative District, is an important venue for bringing innovation and creativity to our community.

All this, while working in my studio as a full-time professional artist specializing in traditional Asian arts.

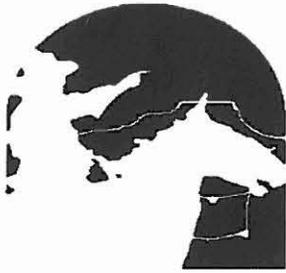
Thank you for your consideration.

Respectfully,

Marilyn Leuszler
2405 Desperado Drive
Trinidad, CO 81082

lmleuszler@aol.com
719-845-1433

*verified votes
regis + residency
-AS*



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

2h

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE:
OF ATTACHMENTS: 1

SUBJECT: Appointment to the Parks & Recreation Advisory Committee

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Reappoint Cherie Kollander to the Committee.

SUMMARY STATEMENT: The Parks & Recreation Advisory Committee is an advisory board of the City set forth by the Charter.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Membership for all boards, committees and commissions is sought from the public at large. The Charter requires those who serve on City boards to be City residents for at least one year prior to appointment and that they are registered to vote.

ALTERNATIVE: Seek additional applicants.

BACKGROUND INFORMATION:

- Ms. Kollander has served since 1/2011.
- There will still be three vacancies on this seven-member board with this re-appointment.

2h

Audra Garrett

From: Cherie Kollander [kollcpa@gmail.com]
Sent: Saturday, December 21, 2013 12:00 PM
To: audra.garrett@trinidad.co.gov
Subject: Board re-appointment

Dear Ms Garrett,

I would like to be considered for re-appointment to the Parks and Recreation Board. Also, if there are other board openings for which my skills would be appropriate, such as Urban Development and/or Recycling please throw my proverbial hat into the ring. Just as an after thought, lets avoid the Tree, Arts and Hospital boards.

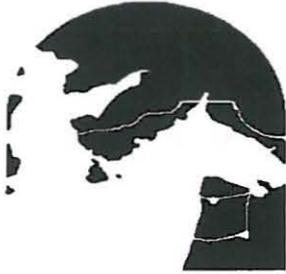
Thanks for considering me.

Sincerely,

Cherie
G. Kollander
719-890-0290

*verified voter
regis + residency
AK*

6a



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 5

SUBJECT: Retail liquor store license renewal request by Linda T. Anderson Barron d/b/a Mountain Liquor & General Store at 1144 Robinson Avenue

PRESENTER: Linda T. Anderson Barron

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of the license

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The renewal application is in order.
- Fees have been paid.
- Both the Building Inspector and Fire Department indicated no issues.
- The Police Department had no calls for service in the past year.
- Disclosure statement from Councilmember Miles is attached.
- Appropriate fees have been paid.

6a

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

MOUNTAIN LIQUOR & GENERAL STORE
 1144 ROBINSON AVE
 TRINIDAD CO 81082-2837

Fees Due	
Renewal Fee	\$227.50
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: **Colorado Department of Revenue.**
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name BARRON ANDERSON L T		DBA MOUNTAIN LIQUOR & GENERAL STORE		
Liquor License # 09611850000	License Type Liquor Store (city)	Sales Tax License # 09611850000	Expiration Date 2/24/2014	Due Date 1/10/2014
Street Address 1144 ROBINSON AVE TRINIDAD CO 81082-2837				Phone Number (303) 846 8223
Mailing Address 1144 ROBINSON AVE TRINIDAD CO 81082-2837				
Operating Manager LINDA BARRON	Date of Birth [REDACTED]	Home Address [REDACTED]	Phone Number [REDACTED]	

1. Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease _____
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business LINDA T BARRON	Title OWNER
Signature <i>Linda Barron</i>	Date 12/20/13

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For TRINIDAD	Date
Signature	Title MAYOR
	Attest

12/20/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Linda T. Anderson Barron

dba: Mountain Liquor & General Store

Address: 1144 Robinson Avenue

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

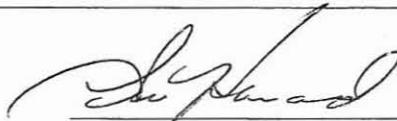
FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 7, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspected 6/13 no violations

12/23/13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 2, 2014

12/20/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Linda T. Anderson Barron

dba: Mountain Liquor & General Store

Address: 1144 Robinson Avenue

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 7, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

12-30-13
Date

Kim S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 2, 2014

12/20/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Linda T. Anderson Barron

dba: Mountain Liquor & General Store

Address: 1144 Robinson Avenue

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 7, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: No reports

1-2-14
Date

Charles J. Monahan
Signature

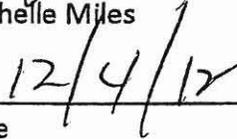
RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 2, 2014

DISCLOSURE STATEMENT

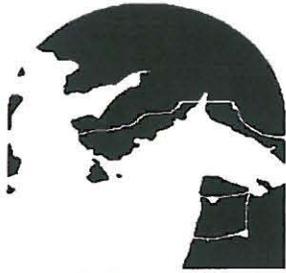
I, Michelle Miles, hereby state and affirm that I am a member of Opera House Wine & Spirits, LLC, a Colorado limited liability company formed on February 22, 2010, whose principal office address is 601 W. Main Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Tire Shop Wine & Spirits, a retail liquor store licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 601 W. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 99% interest in Opera House Wine & Spirits, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.



Michelle Miles



Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

6b

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 0

SUBJECT: Designation of public places for posting of notice of meetings

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Designate City Hall and the Carnegie Public Library as the posting locations for notice of meetings.

SUMMARY STATEMENT: State Statute requires two posting places for meeting notices be designated annually by the local governing body.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a requirement of the Colorado State Statutes.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- City Hall and the Carnegie Public Library have been the posting locations for the past 20+ years.
- The City also endeavors to post the entire agenda packets on its website in a timely manner for the convenience of the public.

6b



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

60

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 2

SUBJECT: Appeal from a decision of the Planning, Zoning and Variance Commission filed by Lex and Alyce Vollmer, Application #2013-15, Request for variance to place an accessory structure with a 4/12 roof-pitch and to exceed the allowable square footage of accessory structure, located at 203 E. North Avenue

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Set this matter for Public Hearing on February 4, 2014 at 7:00 p.m.

SUMMARY STATEMENT: The City Council acts as the Board of Appeals to hear and decide appeals from decisions of the Planning, Zoning and Variance Commission.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: The appeal process provides for due process. This is a quasi-judicial matter.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- An appeal was been filed with the City Clerk on December 13, 2013 (after Council packets had been prepared).
- Council must set a hearing no more than 60 days from the date the city Clerk received the appeal (latest date is 2/11/2014).
- Notice requirements are set forth by ordinance. Therefore, the requested hearing date is February 4, 2014.
- This matter is quasi-judicial. Council MUST refrain from discussing this matter outside of the public hearing or considering anything that is not presented at the hearing.

60

12.13.2013 *AG*

City Clerk's Office

Appeal Request: Planning, Zoning and Variance Commission Decision
Decision Date: December 10, 2013
Applicants: Lex and Alyce Vollmer
Subject: Application # 3013-15- Request for variance to place an accessory structure with a 4/12-roof pitch and to exceed the allowable square footage of accessory structures, located at 203 E. North Ave.

Basis for Appeal

Applicants believe the Planning, Zoning and Variance Commissioners erroneously did not apply the law in the same standards to applicants as they had to previous applicants seeking the same variances under the same conditions.

Applicants previously applied for a three part variance (Application #2013-13)- Request for variance to place a manufactured shed with a 4/12 roof pitch within the 5' residential setback and to exceed the allowable square footage of accessory structures, located at 203 E. North Ave. Application was denied on November 12, 2013. Denial was based on applicant's failure to meet the five criteria in the Polices and Standards For Variances as follows in Section 14-118 of the City of Trinidad Code of Ordinances.

1. On September 10 2013, Geraldine and Orlando Coca came before the Planning, Zoning and Variance Commission with the same three part variance request as follows: Request for a variance to place a manufactured

shed in the residential setback, with a less than 6/12 roof pitch, and exceed the allowable combined usable area (in square footage) of accessory structures at 1101 Stonewall Ave. Applicants were granted all three variances in less than 15 minutes and at no time subjected to questions regarding the five criteria stipulated in the Policies and Standards for Variances.

2. Rather than filing an appeal on the November 12, 2013 decision, applicants were advised by the City Manager, City Planner and Assistant City Planner to submit a new application thus dropping the request for variance to place proposed structure into the residential 5' setback. This advisement was based on the above-mentioned individuals discussions with members of the Planning, Zoning and Variance Commission. Applicants agreed to resubmit knowing that they would incur a substantial amount of additional costs in the relocation of their driveway, relocation of fencing and placement of garden walls.
3. Upon Vollmer's initial application it was noted by planning personnel that Coca's property located at 1101 Stonewall Avenue is identical to Vollmer's in the following:
 - A. Size: Coco's lot is considered oversized for the neighborhood at .49 acres.
 - B. Existing Land Use: Residential
 - C. Surrounding Land Use: Residential
 - D. Existing Zoning: E-LDR (Established-Low Density Residential)

E. Previous Applications: None

4. Vollmer's property located at 203 E. North Avenue is identical to Coca's in the following

A. Size: Vollmer's lot is considered oversized for the neighborhood at 1.38 acres.

B. Existing Land Use: Residential

C. Surrounding Land Use: Residential

D. Existing Zoning: E-LDR (Established-Low Density Residential)

E. Previous Applications: None

5. In addition to the comparisons listed in above sections #3 and #4, Coca and Vollmer properties share additional commonalities;

A. Gated Entries

B. Privacy Fencing

C. Existing Garages

D. Existing Outbuildings

In filing this appeal, applicants believe the Planning, Zoning and Variance Commissioners erroneously did not apply the same protocol in rendering their decisions as demonstrated in their expeditious ruling of the Coca application, wherein they failed to address the Policies and Standards for Variances as noted in the September 10th, 2013 minutes. Vollmer's have owned property in the Trinidad area since 1997 and as taxpayers believe they should be held to the same standards as long time Trinidad residents. Foremost, applicants' only desire is to improve their property in the same way that others have been given the right to.

ARTICLE 6. BOARD OF APPEALS.

Section 14-137. City Council designated as Board of Appeals.

The City Council is designated as the Board of Appeals for the City of Trinidad pursuant to Section 8.5 of the Charter of the City of Trinidad.

Section 14-138. Powers and duties.⁴⁰

The City Council, in its capacity as the Board of Appeals, shall hear and decide appeals from decisions of the City Planning, Zoning and Variance Commission either granting or denying requests for variances and with respect to applications for a conditional use or special use permit, and from orders of the Building Inspector to repair or demolish buildings. All decisions shall be final. (Ord. 1632, eff., 6/30/00)

Section 14-139. Appeals from Planning, Zoning and Variance Commission - Procedure.⁴¹

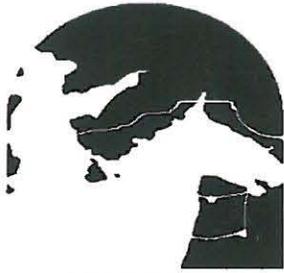
Any person aggrieved by a decision of the Planning, Zoning and Variance Commission granting or denying a variance request, or any officer or department of the City, may appeal such decision to the City Council. Any applicant for a conditional use or special use permit within a zone district whose application has been denied by the Planning, Zoning and Variance Commission or who is dissatisfied with the decision imposing conditions on the conditional or special use by the Planning, Zoning and Variance Commission, may appeal such decision to the City Council. Such appeal must be in writing and filed with the City Clerk no later than fifteen (15) days following the issuance of the decision by the Planning, Zoning and Variance Commission. The appeal shall contain, at a minimum, a brief statement setting forth the basis for the appeal. The City Clerk shall refer the appeal to the City Council, which shall schedule a hearing to be held no less than ten (10) days nor more than sixty (60) days from the date the appeal was filed with the City Clerk. Written notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to the Appellant by the City Clerk, by causing a copy of such notice to be delivered to the Appellant personally or by mailing a copy thereof, postage prepaid, addressed to the Appellant at his/her address as shown on the appeal. The City Planner shall be served with the notice in the same manner. In the case of an appeal of a variance decision, the person who requested the variance shall also be served in the same manner. Notice of such hearing shall also be published at least ten (10) days prior to the date of the hearing. (Ord. 1632, eff., 6/30/00)

Section 14-140. Appeals from orders of Building Inspector - Procedures.

Appeals from orders of the Building Inspector to repair or demolish buildings shall be made in the manner set forth in Chapter 5 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition.

⁴⁰ Chapter 14, Article 6, Section 14-138 repealed and reenacted. (Ord 1632, eff., 6/30/00)

⁴¹ Chapter 14, Article 6, Section 14-139 is repealed and reenacted. (Ord 1632, eff., 6/30/00)



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

6d

CITY COUNCIL MEETING: January 7, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Acceptance of Affidavit of Surrender of the state and local liquor licenses of LMR, Inc. d/b/a Purgatoire & A Little Catering Company

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Accept the Affidavit of Surrender to forward to Colorado Liquor Enforcement for their consideration.

SUMMARY STATEMENT: The City Council acting as the Local Liquor Licensing Authority has the authority to consider this matter.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a process authorized by the Colorado Liquor Enforcement Division to relinquish a liquor license.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- LMR, Inc. d/b/a Purgatoire & A Little Catering Company was granted a new Hotel & Restaurant liquor license in March, 2012.
- The licensee seeks to surrender the license at this time.

6d

BEFORE THE STATE AND LOCAL LICENSING AUTHORITY

STATE OF COLORADO, CITY OF TRINIDAD

AFFIDAVIT OF SURRENDER OF STATE AND LOCAL LIQUOR LICENSE

IN THE MATTER OF:

Licensee: LMR, Inc.

Trade Name: Purgatoire & A Little Catering Company

Address: 516 E. Elm Street

City: Trinidad, CO 81082

LICENSE NO. – STATE: 43-02469-0000

LICENSE NO. – CITY : 938

On behalf of LMR, Inc. d/b/a Purgatoire & A Little Catering Company, State License No. 43-02469-0000, & City of Trinidad License No. 938, (hereinafter “Licensee”), I hereby voluntarily surrender the Colorado liquor licenses and all related licensing privileges to the Liquor Enforcement Division (“Division”) of the Colorado Department of Revenue and the City of Trinidad (“City”) liquor licenses and all related licensing privileges to the City of Trinidad. Licensee hereby requests the Division and City, on behalf of the State and Local Liquor Licensing Authorities, to immediately cancel, terminate, and void Licensee’s Colorado and Trinidad liquor licenses.

Licensee states that this surrender of Licensee’s Colorado liquor license and City of Trinidad liquor license and licensing privileges is made voluntarily by the Licensee, and that Licensee is not surrendering the aforesaid liquor licenses and privileges as the result of any threat, promise, or coercion by the Division or any of its agents or employees, nor by the City or any of its agents or employees. Licensee acknowledges that this surrender does not violate any requirements of a Forcible Entry and Detainer (FED) order, or Writ of Restitution requiring the licensee to dispossess the licensed premises. Licensee further acknowledges that this surrender is not an attempt to avoid prosecution of a violation of the Colorado Liquor Code, and that the Division and City may refuse to accept his affidavit of surrender until after any pending administrative action is complete.

The Licensee’s Colorado and City of Trinidad liquor licenses and related privileges will be canceled, terminated, and voided upon the issuance of an order by the Director of the Division accepting this voluntary surrender of licenses.

Licensee has read and understands the foregoing and hereby voluntarily surrenders his/her Colorado and City of Trinidad liquor licenses and related licensing privileges to the Division and City respectively.

Name: LEONA Falsetto

Signature: Leona Falsetto

Title: Sec. Treasurer

Date: 12-30-2013

Mary Strange
Pres.

January 3, 2014