

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, July 5, 2011 at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Garduno, presiding
	Councilmembers	Aragon, Pando, Rino, Shew, Toupal, Velasquez
Also present:	City Manager	Gil de Rubio
	City Attorney	Beatty
	City Clerk	Garrett

The pledge of allegiance was recited.

READING OF THE MINUTES. Regular Meeting of June 21, 2011. Mayor Garduno asked if there were any additions or corrections to the minutes of June 21, 2011. There being none, a motion to approve the minutes as submitted was made by Councilmember Toupal and seconded by Councilmember Pando. The motion carried unanimously.

UNFINISHED BUSINESS. Public hearing for consideration of an ordinance of the City of Trinidad, Colorado, amending an addition to the International Residential Code, 2009 Edition, pertaining to carbon monoxide alarm requirements. Mayor Garduno declared the public hearing open and called for comments, for or against the ordinance. Glenn Davis addressed Council to remind them of the fact that carbon monoxide is a colorless, odorless gas produced by burning material containing carbon. Carbon monoxide poisoning causes brain damage and sometimes death. You can't see it, smell it or taste it. Carbon monoxide is the leading cause of accidental poisoning deaths in America. It is known as the silent killer. The best and least expensive way of monitoring carbon monoxide levels in a home is with a properly installed carbon monoxide detector which will warn you if the levels are unsafe. When new doors and windows are installed on an existing home the potential for unsafe levels rises. Mr. Davis concluded that the minor change proposed in this ordinance is a positive step toward improving the future safety of residents of our community. There being no further comments, the hearing was closed.

Second reading of an ordinance of the City of Trinidad, Colorado, amending an addition to the International Residential Code, 2009 Edition, pertaining to carbon monoxide alarm requirements. The ordinance title was read aloud. A motion to approve the ordinance on second reading was made by Councilmember Shew. Councilmember Velasquez seconded the motion, which carried unanimously upon roll call vote. The ordinance was approved and will become effective on July 15, 2011.

ORDINANCE NO. 1917

AN ORDINANCE OF THE CITY OF TRINIDAD, COLORADO, AMENDING AN ADDITION TO THE INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION, PERTAINING TO CARBON MONOXIDE ALARM REQUIREMENTS

PUBLIC HEARING. Consideration of an ordinance amending the zone classification of property located in the CP Treats Additions, Block 16, Lots 10 through 12, of the City of Trinidad, Colorado, from Established-Low Density Residential to Established-Community Commercial, as requested by Kenneth R. Geggman, known as 900 Arizona Avenue. Planning Director Louis Fineberg addressed Council to introduce the application. He said this building is the former McKenzie Plumbing building located at 900 Arizona Avenue. It is currently zoned Low Density Residential and has lost its non-conforming use as a commercial building and needs to be re-zoned to Commercial in order to use it for commercial purposes. The property immediately to the north of this address has been re-zoned to Commercial and to the south the properties are zoned Neighborhood Services. The building is obviously commercial in nature and should be used for commercial use. He concluded that staff recommends approval of the zone change. Kenneth Geggman, 1139 Sanders, addressed Council. He said that he purchased the building on Arizona Avenue and is hoping to get it re-zoned to Commercial to go ahead with his plans for use of the building. He asked Council to please re-zone the property back to commercial. Mayor Garduno ascertained that there were no further comments and closed the hearing.

First reading of an ordinance amending the zone classification of property located in the CP Treats Additions, Block 16, Lots 10 through 12, of the City of Trinidad, Colorado, from Established-Low Density Residential to Established-Community Commercial, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Shew and then read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on July 19, 2011 was made by Councilmember Velasquez and seconded by Councilmember Pando. The motion carried by a unanimous roll call vote.

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION OF PROPERTY LOCATED IN THE CP TREATS ADDITIONS, BLOCK 16, LOTS 10 THROUGH 12, OF THE CITY OF TRINIDAD, COLORADO, FROM ESTABLISHED-LOW DENSITY RESIDENTIAL TO ESTABLISHED-COMMUNITY COMMERCIAL

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

REPORT BY CITY MANAGER. City Manager Gil de Rubio provided Council with an update regarding his recent trip to Nebraska with the MEAN organization. He described it as a very formidable three days of meetings. The

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NPGA Board passed an increase to the hedge which locked in winter rates at \$4.50 per dekatherm as opposed to the current \$5.00 per dekatherm charge. They also voted to increase the amount put into the hedge from 20% to 40%. Therefore, the winter rates look quite formidable and secured, but obviously it depends on the severity of the winter as far as consumption is concerned. He said he's happy that the prospective rates for natural gas are going to level off and stay level for the next eight to ten months with a possible slight increase expected in 18 to 24 months. He said he'd report back on it when he gets an update. City Manager Gil de Rubio said he intends on attending these meetings two to three times per year, noting that once per year is required pursuant to our contract. Although it is not cheap, City Manager Gil de Rubio said he felt it was important for Trinidad to have a seat at the table going through policies. He said he also had an opportunity to visit with Gary Stoffer during a couple of meetings regarding electric purchases in conjunction with the City's contract with ARPA. He learned that as long as they are not contractually bound to ARPA, MEAN is willing to negotiate a long-term power contract with the City. There would be three options if the City desires to go out on its own. A lot has to do with our relationship in the lawsuit and he said he or City Attorney Beatty will continually report back to Council regarding this issue.

REPORT BY CITY ATTORNEY. City Attorney Beatty reminded Council of the public forum regarding potential revisions to the Home Rule Charter for the City of Trinidad scheduled to be held at 5:00 p.m. this Thursday in City Council Chambers. He advised that it has been noticed in the event three or more Council members attend the forum. Tami Tanoue from CIRSA will be available to lead the forum. He said he is looking forward to making progress on these matters. Councilmember Rino asked if she'll have a copy of the draft ordinance that Council could look at before the forum. City Attorney Beatty pointed out that a copy was provided in their informational items in their packets. He added that there will be copies available to the public for those who attend on Thursday.

COMMITTEE REPORTS. None.

MISCELLANEOUS BUSINESS. Hotel and restaurant liquor license renewal request by El El Si, LLC d/b/a Main Street Tap House at 308 W. Main Street. Councilmember Rino moved to approve the license renewal. The motion was seconded by Councilmember Toupal. Mayor Garduno commented that she noticed in the report from the Police Department that there were several calls for service in a short period of time. She said she is concerned with the nature of those calls, not necessarily the number of them. Jason Garlutzo asked the dates of the calls she was referring to. Mayor Garduno said there was one in November, 2010, and the others were on February 26, March 12, May 22, June 5 and June 12, 2011. The calls ranged from bar disturbance to fights and a fight with a weapon. Mr. Garlutzo said that most of those calls were problems that were happening outside of the bar and they called the police because he doesn't want that element inside the bar. Any trouble inside is removed and kept out. He added that he has been instructed to call the police and let them do their job. He said possibly one or two of those calls occurred inside the bar and everything else happened outside, adding that the parking lot next to the business is hard to police. Mayor Garduno asked if his servers have been TIPS certified. Mr. Garlutzo said his previous servers had it and he has to hire one or two more who will go through the training. Roll call was taken on the motion to approve the renewal and carried by a unanimous vote.

Resolution determining that an election is required to consider one or more ballot issues and to elect the Mayor and three City Council Members and that such election should be held as a coordinated election. A motion to adopt the resolution was made by Councilmember Rino and seconded by Councilmember Shew. The motion carried unanimously by voice vote and the resolution was adopted.

RESOLUTION NO. 1369

RESOLUTION DETERMINING THAT AN ELECTION IS REQUIRED TO CONSIDER ONE OR MORE BALLOT ISSUES AND TO ELECT THE MAYOR AND THREE CITY COUNCIL MEMBERS AND THAT SUCH ELECTION SHOULD BE HELD AS A COORDINATED ELECTION

Renewal of Intergovernmental Agreement with Las Animas County for the conduct of the November 1, 2011 Regular Election as a Coordinated Election. Councilmember Rino moved for the approval of the IGA. The motion was seconded by Councilmember Pando. Roll call was taken on the motion, and carried unanimously.

Resolution updating the City of Trinidad Three-Mile Plan. Planning Director Louis Fineberg explained to Council that an update is required each year, however the only time it needs to be changed is when there has been an annexation. Since there haven't been any annexations since the last update, staff recommended re-adoption of the 2010 plan. A motion to adopt the resolution was made by Councilmember Toupal. Councilmember Shew seconded the motion, which upon roll call vote carried unanimously.

RESOLUTION NO. 1370

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, UPDATING THE CITY OF TRINIDAD THREE-MILE AREA PLAN

Resolution adopting the City of Trinidad Way-Finding Signage Plan. Planning Director Fineberg presented a Power Point presentation to Council, outlining the plan. He told Council that a series of public workshops were conducted following the regular Planning Commission monthly meetings to gain public input on updating or creating a way-finding signage plan for the City. Way-finding refers to how people orient themselves and navigate from place to place, and in this case the development of an attractive and effective sign system that directs drivers and pedestrians to destinations within the City. He provided an overview of the product of Phase 1, which is basically the direction - creating the plan. Two workshops were held on March 8th and April 12th. The Planning Commission reviewed the plan at its June meeting and recommended approval. Following Phase 1 will come Phases 2 and 3, sign fabrication and sign installation. The City already has construction drawings that are 75% complete as well as cost estimates for the implementation. Some of the things looked at were the different sign types in the City, highway signs regulated by CDOT and standard CDOT guide signs regulated by CDOT's guide signing practices and in conjunction with the I-25 improvement plan. They looked also at the

gateway signs, such as the iconic Trinidad sign on Simpson's Rest; primary gateway such as 'You are entering Trinidad' something that alerts a person that they are entering the City; secondary gateway signage that once a person is in the City directs them to different parts of the City; tertiary gateways signs lets a person know exactly where they are such as the current Trinidad banner signs recently installed; also, directional signs letting people know where things are; primary directional signs will let a person know where major parts of the City are, and as you go from secondary to tertiary you narrow the range of destinations; identification signs, such as the Trinidad trolley sign, public parking, historic markers on buildings, etc., and also includes street name signs; informational signs which include kiosk signs, 'You are here' or automated visitor stations, interpretive and/or educational signs such as those that describe a point of interest along the trail, and the historic markers currently downtown installed using the State Historic Fund money. Part of the plan involves creating a map of existing conditions, a kind of inventory, where signs are located. Those are signs that will eventually be replaced with ones of a standard design outlined in the plan. Some observations made during the course of establishing the plan were that the City generally has a lack of coordinated signs. Therefore the idea behind the plan is to unify the sign system. Also observed was incomplete highway guide signage, a lack of welcoming signage at key entry points, a lot of visual clutter, and illegibility of existing directional signage. Maintenance of existing signage is another issue. He continued that it was noted that there is difficulty in finding public parking areas, a lack of information/kiosks at key locations, integration of signage of the future transit center and pedestrian way-finding signs are needed. Planning Director Fineberg continued that the achievable goals that can be attained within the next five to ten years and strategies of the plan include: 1) to promote tourism by enhancing traveler convenience – establish a way-finding sign program that directs visitors to key attractions within Trinidad and the region; 2) to enhance Trinidad's attractiveness by reinforcing community identity – develop a way-finding sign concept using design elements that reflect Trinidad's character; 3) to improve traffic flow and vehicular safety by improving roadway signage – replace existing way-finding signage in Trinidad with new signage that is legible and easy to maintain; 4) to emphasize Trinidad as a destination by improving highway guide signage – work with CDOT to update and implement a sign plan that enhances guide signage for navigation, boundary identification, traveler services, the Corazon de Trinidad National Historical District, Trinidad Lake State Park, and other traffic generators along I-25. He said part of the plan was to determine what the key destinations are in Trinidad to know what actually to sign. Design was also discussed – design inspiration comes from the City itself. Built and natural environment inspired the material and the color palette. Design considerations for the gateway signs included that they needed to be in a prominent location, celebrate Trinidad through form, colors and materials, and be located in a designed landscaped area. Directional signage need to be legible for motorists and have standard text sizes that can be seen at speeds within the City, six-inch in areas of greater speeds. Also contrasting colors and reflectivity should be included in design and signage should range from primary to tertiary levels. Identification signs are similar to directions signs for legibility concerns for both motorists and pedestrians. Identification signs are those used to announce either a geographic location or functional location, such as a park or parking, respectively. Design is proposed to be the same in color, material, etc. He continued that informational signs are typically designed for pedestrians and are used for orientation. Councilmember Rino noted the priorities, 1, 2, and 3 corresponding with 2011, 2013 and 2015. He asked who will be held accountable for purchasing the signs. Planning Director Fineberg said it is under discussion. The Tourism Board has indicated that they have the \$83,000 funding for implementation of Priority 1. He reminded Council that the City just submitted a grant to CDOT which included a sizeable line item for that portion of the way-finding signage, however we will not know whether the City is successful in getting the grant until October. Therefore, he said it depends on how quickly the Tourism Board wants to move forward. Councilmember Rino asked the total projected cost of Priorities 1, 2, and 3. Planning Director Fineberg said Priority 1 is projected at just under \$84,000; Priority 2 is estimated at \$35,500 and Priority 3 at \$211,000, so we are looking at about \$370,000. Councilmember Rino asked if the funding is expected mostly from Tourism and grants. Planning Director Fineberg said the Tourism Board is only committing to Priority 1 funding for now. Currently there isn't funding available for Priorities 2 and 3. Priority 1 was seen as the signs that need to be implemented first. The City already has some gateway signs so it is not urgent that we move right into Priority 3, rather it is something we can do down the road if the City gets grant funding or some other funding becomes available. Councilmember Rino asked if it's necessary for Council to pass a resolution or can it just be a Tourism project. City Attorney Beatty answered that he thought that the Tourism Board and the Planning Commission who were involved in the development of this plan would like City Council's good graces in proceeding with it. Councilmember Rino expressed concern about Council being responsible for the financing of the plan if they adopt the resolution, pointing out that his understanding from the presentation is that it will come from the Tourism Board budget and grants. He asked City Manager Gil de Rubio if the City will be held responsible for financing part of it, the purchase of the signs in Priority 1, 2, & 3. City Manager Gil de Rubio answered that they will go through the Tourism Board for Priority 1. The City has applied for grants. He said the City doesn't have that type of money in the budget, as Council is aware. If something happens down the road and the City has to step up to the plate it would go through the budgetary process and Council would render a decision at that time. He reiterated the fact that the City is trying to do their best to get the funds through the grant money available and also through the help of the tourism tax. Councilmember Rino clarified that he is not opposed to the plan and he thinks the signs are needed, but his concern is the financing of it. Planning Director Fineberg said it is very beneficial to have an officially adopted plan when pursuing grants. Mayor Garduno confirmed with City Manager Gil de Rubio that the resolution in no way commits the City to coming up with the funding. Steven Kelly, member of the Tourism Board said the Board wants the City's support on this and doesn't expect the City to pay for it. He added that they just wanted to make sure the City was in support of what the Board was doing. Councilmember Rino expressed concern over the amount of money the entire project is expected to cost, Priorities 1 through 3. Mr. Kelly said the funding for Priority 1 is in the Tourism Board's budget. Councilmember Rino said the other Priorities will be more expensive. City Manager Gil de Rubio said Priority 3 is the big one and it is hoped that the City will get grant money. But if the City has to get involved financially, he would present it to City Council. City Attorney Beatty on behalf of City staff publicly expressed gratitude to Pat Patrick who is the Chairperson of the Tourism Board and also on the Planning Commission. He said Mr. Patrick has been instrumental in spearheading this plan in conjunction with Planning Director Louis Fineberg and Public Works Director Mike Valentine who were instrumental in the public forums held with a lot of great citizens who provided valuable input. He added that this was a large-scale community effort to develop this plan. Councilmember Rino noticed in the bills & payroll a \$9,000 expenditure for signage and questioned what it was for. City Manager Gil de Rubio said it was payment to the consultant who completed the plan. A motion to adopt the resolution was made by Councilmember Toupal and seconded by Councilmember Shew. The motion carried by a unanimous roll call vote of Council.

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RESOLUTION NO. 1371

A RESOLUTION OF THE CITY COUNCIL ADOPTING THE CITY OF TRINIDAD WAY-FINDING SIGNAGE PLAN

BILLS. A motion to approve the bills was made by Councilmember Rino. The motion was seconded by Councilmember Pando. Roll call was taken on the motion. The motion carried unanimously.

PAYROLL, June 25, 2011 through July 8, 2011. A motion to approve the payroll was made by Councilmember Rino and seconded by Councilmember Toupal. The motion carried unanimously.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Pando and seconded by Councilmember Shew. The meeting was adjourned by unanimous vote of Council.

ATTEST:

JENNIE GARDUNO, Mayor

AUDRA GARRETT, City Clerk

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, July 12, 2011 immediately following work session at 1:30 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, July 12, 2011 immediately following work session at 1:30 p.m. in the Council Chambers at City Hall

The following item is on file for consideration of City Council:

- 1) Executive Session – for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions under C. R. S. Section 24-6-402(4)(b), regarding Arkansas River Power Authority

The meeting was called to order at 2:48 p.m.

There were present:	Mayor	Garduno, presiding
	Councilmembers	Pando, Rino, Shew, Toupal, Velasquez

Also present:	City Manager	Gil de Rubio
	City Attorney	Beatty
	City Clerk	Garrett

Absent:	Councilmember	Aragon
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Executive Session – for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions under C. R. S. Section 24-6-402(4)(b), regarding Arkansas River Power Authority. A motion to enter into executive session for the stated purpose was made by Councilmember Shew and seconded by Councilmember Pando. The motion carried unanimously by a roll call vote of Council and the executive session ensued at 2:50 p.m.

I, Jerod A. Beatty, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 12th day of July, 2011, was permissible under CRS Section 24-6-402 (4)(b).

As City Attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.



Jerod A. Beatty
City Attorney

Upon conclusion of executive session, Councilmember Pando moved to resume the meeting and the motion was seconded by Councilmember Shew. The motion carried unanimously and the meeting was resumed at 3:08 p.m.

There being no further business, the meeting was adjourned.

ATTEST:

JENNIE GARDUNO, Mayor

AUDRA GARRETT, City Clerk