

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, December 4, 2012 at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Mattie, Miles, Shew, Velasquez
Also present:	Acting City Manager	Gagliardi
	City Attorney	Downs
	City Clerk	Garrett

The meeting was called to order at 7:16 p.m.

Mayor Baca Gonzalez recognized in the audience Tom Acre who was recently selected as Acting City Manager. She advised that there will be a meet and greet gathering tomorrow evening at 5:00 p.m. at Mt. Carmel Health, Wellness and Community Center in his honor. She invited everyone to attend and introduce themselves and get to know Mr. Acre. She concluded that Trinidad is in for very good times with a new manager in place.

PROCLAMATION – Hoehne Farmers' Football Championship Celebration Day. Mayor Baca Gonzalez read aloud a mayoral proclamation declaring December 4, 2012 as Hoehne Farmers' Football Championship Celebration Day in recognition of their most recent State Championship victory and as an expression of the community's heartfelt pride in the team-players' collective and individual success.

The pledge of allegiance was recited.

READING OF THE MINUTES. Regular Meeting of November 20, 2012 and Special Meeting of November 27, 2012. Councilmember Bolton questioned on page one of the November 20th minutes the comment made by Ted Martinez that he had documentation that Council required. She said she didn't recall Council requiring anything from Mr. Martinez. Mayor Baca Gonzalez suggested that Mr. Martinez may have misspoken and reminded that he had appeared before them previously and volunteered information. She agreed that the information had not been asked for and reiterated that he volunteered it to Council. A motion to accept the minutes as presented was made by Councilmember Shew and seconded by Councilmember Bolton. The motion carried by a unanimous roll call vote.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

Mayor Baca Gonzalez requested Council take the agenda out of order and hold the executive session at this point at the suggestion of legal counsel. She said she didn't think it would take long but they had some issues to address. Councilmember Mattie made a motion to move the executive session to be held at this point in the meeting and suggested they hold executive session in the conference room. The motion was seconded by Councilmember Velasquez and carried unanimously upon roll call vote.

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. Section 24-6-402(4)(e) – Union negotiations & New Elk Coal water request; and for a conference with the City/Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – legal advice on the authority of an Acting City Manager to enter into contracts. A motion to enter into executive session for the stated purposes was made by Councilmember Bolton and the motion was seconded by Councilmember Shew. The motion carried unanimously by roll call vote and ensued at 7:32 p.m. The executive session was electronically recorded as required by the Colorado Open Meetings Law. Upon conclusion of executive session at 8:17 p.m., the regular meeting resumed.

REPORT BY CITY MANAGER. Acting City Manager Gagliardi asked to be recognized under item 7h, authorization of land purchase adjacent to the landfill.

Acting City Manager Gagliardi reminded Council that this is his last City Council meeting as Acting City Manager. He said it has been a wild ride and that he has enjoyed it. He said he has always had on his bucket list to be in City government and it has always been something he wanted to do. Jokingly he said now he doesn't ever want to do it again. Acting City Manager Gagliardi said he'd be happy to meet with Mr. Acre and share whatever he can with him. Mayor Baca Gonzalez thanked Acting City Manager Gagliardi for his service to the City of Trinidad.

REPORT BY CITY ATTORNEY. City Attorney Downs advised that he would address Council elsewhere on the agenda under those specific items.

COMMITTEE REPORTS. Mayor Baca Gonzalez told Council that committee reports haven't been required for some time and it is important to know the important work being done by them. Periodic reports will be reinstated as part of the agenda.

Report from Planning, Zoning and Variance Commission. Glenn Davis, Chairman of the Planning, Zoning and Variance Commission, addressed Council. He said he was somewhat at a loss because this is the first committee report to Council to be done within his two-term tenure on the Commission. He asked that if in the future they have a format for him to follow he'd be happy to do so. Mr. Davis said that as Council knows the Commission deals with a variety of land and property issues, including one on Council's agenda tonight. Occasionally ordinance reviews and adoptions come before the Commission. Upon inquiry he advised that the Commission meets on the second Tuesday of each month at 5:30 p.m. in Council Chambers. He invited anyone interested to attend and said they try to keep them as short as possible. When asked

if there are any vacancies Mr. Davis advised that the board has seven members however the Charter says it could have up to nine. This is the most members they have ever had. It is a very good group from a cross-section of the community. Mayor Baca Gonzalez expressed Council's appreciation for him coming before Council and bringing them up to speed and recognized and expressed appreciation for their hard work. Mr. Davis commended the hard work of the City's staff and their efforts. Mayor Baca Gonzalez asked Mr. Davis to let Council know how they can help the Commission or if they need support of staff or of Council because they want to make the Commission's work as easy as possible.

Report from Parks & Recreation Advisory Committee. Glenn Davis addressed Council. He said he was before them because none of the other members had an opportunity to volunteer to be. He said he is a recently appointed member to this committee which has not been active for a number of years. A difficulty recently learned of from the Planning Department is that the Parks & Recreation Master Plan has not been updated since 2005. The Home Rule Charter requires the Plan to be updated and reported to Council on an annual basis. Mr. Davis told Council that just recently they attained the minimum number of members necessary for them to convene the committee. He said he is more than willing to call an organizational meeting and start the process of revising the Parks & Recreation Master Plan which will enable the Planning Department to apply for grants and funding for needs in the recreation area of the community. Mayor Baca Gonzalez said Planning Director Louis Fineberg will have important input in this process. She thanked Mr. Davis for coming before Council and for getting the wheel turning again. She added that the Parks & Recreation Master Plan is important for our citizens. Recreation is a benefit for the entire community to enjoy and it will help with tourism. She gave him the blessing to get going on it. Mr. Davis said he would put together an organizational meeting.

Report from City Tree Board. Mayor Baca Gonzales noted that this is a relatively new board. Assistant City Planner Karen Wolf addressed Council on behalf of the board. She explained that she has been facilitating the tree board which doesn't yet have a chairperson. There are still only four voting members and two ex-officio members; however all of them are excited. On December 18th Council will meet another potential member which if appointed would result in five members and would enable the board to make official decisions. The Tree Board has held three meetings so far. They covered topics such as the purpose of the tree board, expectations, how they can manage themselves, and she gave them a number of suggestions. Assistant Planner Wolf said she is still doing the agendas but is trying to get the board's secretary going with those duties. They have discussed the tree ordinance and how it can evolve over time, such as adding standards. Currently it only addresses the issue of tree topping and formation of the tree board. The board members have been presented with resources to become familiar with the different types of trees. The board is interested in conducting an inventory of City trees and document those using GPS and with the support of the state foresters. They've also discussed how to deal with issues with trees and informing citizens how to deal with their trees and problems with them. She added that they are coming up with some projects. On December 14th from 9:00 a.m. to 12:00 p.m. they will conduct a tree tour of downtown as a component of the CDOT transportation enhancement grant which will involve addressing 55 trees. Because the board members are excited about trees, they want to be involved. She said she is trying to get them informed and productive. They are also looking at the golf course trees. She continued that they are seeking, with the help of Francesca Villani, a Colorado Tree Coalition grant in the amount of \$2,000 to start creating public resources for the public on trees and for the creation of workshops. They have had consistent support from the Colorado State Foresters from the La Veta office. Mayor Baca Gonzalez asked Assistant City Planner Wolf to tell Council if the board needs assistance. She suggested that if they get the \$2,000 grant they consider how it might help to include information on the City's webpage, plus create a form on-line for the public to complete to report problem trees.

Report from the Arts and Culture Advisory Commission. Commission member Steven Kelly addressed Council. He introduced commission members Marilyn Leuszler and Carol Potter who were in his accompaniment to Council. Mr. Kelly deferred to Marilyn Leuszler to provide the report to Council on behalf of the Arts and Culture Advisory Commission. Mayor Baca Gonzalez recognized Ms. Leuszler as an excellent local artist and said that the commission is doing a tremendous job. She also thanked Mr. Kelly and Ms. Potter who were present for their time and effort. Ms. Leuszler addressed Council. She provided a bullet list of things the commission has been doing. The first is developing procedures. She opined that although paperwork can be overwhelming, if you have forms to fill out it makes life much simpler. Everything seems to be in line and looks the same. They are developing such forms for artist submissions, art placements and grant applications. Most of these are in place and it will simplify things for future members of the commission. She reminded that City Council had recently approved the art on the temporary walkway in front of the Opera House. The art work was chosen by the Commission. Tony Diego who works with the Third Judicial District Juvenile Diversion Program had students who painted the large pieces on the walkway wall. There are currently four on the wall. Additionally, a member of the community, Raggio, donated a piece to be hung. Our secret painter did the other two works of art and will be adding two additional pieces. She also painted the "Trinidad Loves Company" wording which is very visible. Ms. Leuszler explained that the art work done through Tony Diego was at no cost. The commission approved a \$250 grant through the Trinidad Area Arts Council for the artwork done by the secret artist for supplies because she is a college student. The Commission approved an \$850 grant to screen "Women on the Land" in collaboration with TSJC who donated personnel to help set up the visual and sound as well as the use of the Massari Hall. She noted that there was quite a turn out. Currently the Arts and Culture Advisory Commission has \$33,000 available for a public art program as part of the CDOT funding that completed the interstate. It hasn't however been released yet. They have selected sites throughout the City for public art to be displayed. The Commission has identified some of the art they will choose from. She pointed to pictures of it in Council packets. One is a large globe piece that's about 2 1/2 feet wide created by Michael Musselwhite. It is made of found metal objects from around Trinidad. The second piece is a take on the 1950s using old hood ornaments to create an out of space art piece. The next two pieces, she said are more contemporary and classic. They are created by John Wilbar of Pueblo and are large steel structures which are brighter in color. The third is from a Native American who does sculptures using marble from Marble, Colorado. They want it to be along the lines of Native American design. The Commission is currently working with him for some sketches or perhaps some small visual of what he might do. Lastly she pointed to the photos of the walkway in front of the Opera House. Ms. Leuszler told Council that the Commission traveled to Colorado Springs in September to meet with their Public Art Director and take a tour of their art on display. They have both permanent and rotating pieces, which is the Commission's plan as well. The permanent art would be purchased directly from the artist. They are considering placement of the rotating pieces either by the year or quarter. There are numerous ways they can handle it. The Commission will also be going to Pueblo for a tour of their program and Loveland who has a huge program to get some guidelines and to find out how to do things and how not to. She added that Tara Marshall has worked hard on a grant application for the ArtPlace public art grant. The first application is showing a letter of intent. They will select from

those letters and notify the Commission in January whether they should submit an application for the grant itself. The request was in the amount of \$300,000. This would allow public art to be placed in the Corazon de Trinidad Creative District and would allow for the repainting of historic signage on historic buildings. They have identified approximately two dozen buildings that have historical signage that has been fading over the years. Site selection is in progress for the public art placement and they are working on it with Planning Director Louis Fineberg and so it is all coinciding nicely. One member has undertaken the completion of a full inventory of public art. Most are visual art pieces in buildings. There is no up-to-date inventory of what the City owns and displays. Ms. Leuszler continued that the door project started two years ago is being brought back. Peggy Westmoreland had taken that on by herself two years ago and the Commission will be helping her this year. It has been successful. Private, public and business collaboration is something the Commission is discussing. It would involve using various buildings and businesses and such to display art in their places of business. It would perk up the business and give artists a place to display their work and would make it a little nicer for the public who visit those buildings. She said that collaboration is huge across the board with this Commission so they are trying to work with as many organizations and groups as possible. Ms. Leuszler reminded that two additional members are needed on the Commission and she said that this is probably one of the best groups that she has had the pleasure to work with. Things are getting done and they work very well together. It's a very responsible and delightful group to work with. Ms. Leuszler concluded that the Arts and Culture Advisory Commission meets on the third Tuesday of each month at 4:00 p.m. and everyone is welcome to attend. Mayor Baca Gonzalez recognized the Commission's extensive important work. She thanked her for the report and encouraged her to let the Acting City Manager know how the City can help support their group's effort to keep things moving forward.

UNFINISHED BUSINESS. Public hearing for consideration of an ordinance of the City of Trinidad, Colorado, amending select subsections of Section 14-114 ("Amendments to the Official Zoning Map") of Chapter 14 ("Planning and Zoning"), Article 4 ("Zoning Ordinance"), Division 16 ("Amendments"), of the Code of the City of Trinidad, Colorado, for the purpose of modifying posting requirements of properties proposed for zoning amendments. Mayor Baca Gonzalez reminded that this was previously discussed at a work session and on November 20, 2012 approved on first reading. She declared the public hearing open. Assistant City Planner Karen Wolf said she was available to answer any questions. There being no comments or questions from anyone present, the Mayor declared the hearing closed.

Second reading of an ordinance of the City of Trinidad, Colorado, amending select subsections of Section 14-114 ("Amendments to the Official Zoning Map") of Chapter 14 ("Planning and Zoning"), Article 4 ("Zoning Ordinance"), Division 16 ("Amendments"), of the Code of the City of Trinidad, Colorado, for the purpose of modifying posting requirements of properties proposed for zoning amendments. The ordinance title was read aloud. A motion to approve the ordinance on second reading was made by Councilmember Shew. The motion was seconded by Councilmember Bolton and carried unanimously upon roll call vote. The ordinance was approved and will become effective on December 14, 2012.

ORDINANCE NO. 1932

AN ORDINANCE OF THE CITY OF TRINIDAD, COLORADO, AMENDING SELECT SUBSECTIONS OF SECTION 14-114 ("AMENDMENTS TO THE OFFICIAL ZONING MAP") OF CHAPTER 14 ("PLANNING AND ZONING"), ARTICLE 4 ("ZONING ORDINANCE"), DIVISION 16 ("AMENDMENTS"), OF THE CODE OF THE CITY OF TRINIDAD, COLORADO, FOR THE PURPOSE OF MODIFYING POSTING REQUIREMENTS OF PROPERTIES PROPOSED FOR ZONING AMENDMENTS

Tavern liquor license renewal request by Gino's Sports Bar, LLC at 991 E. Main Street. City Attorney Les Downs advised Council that the license held at this address is held by an LLC, Gino's Sports Bar, LLC, since January 3, 2012. He explained the reason for his mentioning that is that when there is a liquor license transfer of ownership the ownership by that entity is the only one that can be considered for its license history. Whatever happened under previous ownership is not imputed to the next owner even if one or more principals are still an owner in the new entity. Therefore, the only violation Gino's Sports Bar has had since its ownership transferred is the sale of alcohol to a minor on March 14, 2012. The Department of Revenue took action against Gino's Sports Bar for that violation. They had a 20 day suspension – seven imposed and 13 held in abeyance. The suspension ran from July 25th to July 31st of this year. He emphasized that the Department of Revenue has taken action against Gino's on the one and only violation alleged. There are no further or pending allegations. He reminded that there was an instance of gambling that had been alleged last year. That also was a state action and was under a different owner. He reiterated that there was only one allegation of sale to a minor and recommended Council move forward with the renewal of the liquor license. He advised that he would be providing Council with waivers from Council members. Councilmember Miles asked if it is common that once one party takes action the other one stands down. City Attorney Downs advised that was correct. Department of Revenue Agents Reed and Osterhout told him that either the local licensing authority can act or the state can act. When the state does the investigation they will take action against the liquor license holder. City Attorney Downs concluded that people are aware that Department of Revenue had a juvenile come down and buy at establishments. The State took action on all of those liquor licenses, just as they did in this case. If they take action, the local authority doesn't. A motion to approve the tavern liquor license renewal by Gino's Sports Bar, LLC was made by Councilmember Bonato and seconded by Councilmember Shew. The motion carried unanimously excepting Councilmember Velasquez who abstained.

Tavern liquor license renewal request by Robert Leonetti d/b/a Park Café at 608 Arizona Avenue - Resolution scheduling a hearing date on the renewal application filed by Robert Leonetti d/b/a Park Café at 608 Arizona Avenue. City Attorney Downs advised Council that Jon Barclay will represent the Park Café and that he has spoken to Mr. Barclay. City Attorney Downs said he needed Council to set this matter for hearing before they can talk about a plea negotiation. He said if it is necessary to have the hearing he would advise Council further. Mayor Baca Gonzalez noted Mr. Leonetti's presence and stated that he can continue to operate his business as normal and Council setting this for hearing will stimulate a dialogue between the City Attorney and Mr. Barclay. City Attorney Downs added that if Council acts even after the renewal the license will continue. He said he would convey Council's offer to Mr. Leonetti through Mr. Leonetti's attorney. Mayor Baca Gonzalez advised that the proposed resolution sets the hearing on renewal for January 15, 2013 at 7:00 p.m. and that a notice will be issued by City Council. A motion to adopt the resolution setting a hearing on the renewal

RESOLUTION NO. 1403

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, SCHEDULING A HEARING DATE ON THE RENEWAL APPLICATION FILED BY ROBERT LEONETTI D/B/A PARK CAFÉ AT 608 ARIZONA AVENUE

MISCELLANEOUS BUSINESS. Special events permit request by Trinidad & Las Animas County Chamber of Commerce at 206 N. Animas Street for December 14, 2012 (Pioneer Natural Resources Christmas Party). Tara Marshall presented herself for questions on behalf of the Chamber of Commerce. A motion to approve the permit was made by Councilmember Bolton and Councilmember Shew seconded the motion. Councilmember Bonato asked where the proceeds from the sale of alcohol go. Ms. Marshall answered that this is a benefit for the Chamber of Commerce. Roll call was taken and the motion carried unanimously.

Appointment to the Arts and Culture Advisory Commission. Mayor Baca Gonzalez expressed thanks to Scott Candland for offering his time to assist with serving on this commission. Councilmember Bolton made a motion to appoint Scott Candland. The motion was seconded by Councilmember Miles and upon roll call vote carried unanimously.

Resolution of the City Council of the City of Trinidad, Colorado, authorizing renewal of health insurance benefits for City employees and their dependents through Rocky Mountain Health Plans for plan year January 1, 2013 through December 31, 2013. Councilmember Mattie made a motion to adopt the resolution and the motion was seconded by Councilmember Shew. Upon roll call vote the motion carried unanimously.

RESOLUTION NO. 1404

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, AUTHORIZING RENEWAL OF HEALTH INSURANCE BENEFITS FOR CITY EMPLOYEES AND THEIR DEPENDENTS THROUGH ROCKY MOUNTAIN HEALTH PLANS FOR PLAN YEAR JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

First reading of an ordinance appropriating certain sums of money out of the revenues of the City of Trinidad, Colorado, to defray and meet the liabilities of the City of Trinidad for the fiscal year beginning January 1, 2013 and ending December 31, 2013; said ordinance being termed the annual appropriation bill for the 2013 fiscal year, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Bolton 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 Tuesday, December 18, 2012, was made by Councilmember Miles. The motion was seconded by Councilmember Velasquez and carried by a unanimous roll call vote.

ORDINANCE NO.

AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY OUT OF THE REVENUES OF THE CITY OF TRINIDAD, COLORADO, TO DEFRAY AND MEET THE LIABILITIES OF THE CITY OF TRINIDAD FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013; SAID ORDINANCE BEING TERMED THE ANNUAL APPROPRIATION BILL FOR THE 2013 FISCAL YEAR

Resolution of the City Council of the City of Trinidad, Colorado, levying general property taxes based upon the 2012 certification of valuation to help defray costs of government for the City of Trinidad, Colorado, for the 2013 budget year. Councilmember Miles commented that she spoke to the County Assessor who told her the City's mill levy of 17.579 has been in place for a very long time. A motion to adopt the resolution was made by Councilmember Bolton and seconded by Councilmember Velasquez. Upon roll call vote the motion carried unanimously.

RESOLUTION NO. 1405

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, LEVYING GENERAL PROPERTY TAXES BASED UPON THE 2012 CERTIFICATION OF VALUATION TO HELP DEFRAY COSTS OF GOVERNMENT FOR THE CITY OF TRINIDAD, COLORADO, FOR THE 2013 BUDGET YEAR

Consideration of letter of Agreement for Professional Services, contracted with A-E Design Associates, PC, for the "Historic Hughes Lumber Company Building Discovery, Design Development and Construction Documents". Planning Director Fineberg advised Council that all of their comments were addressed in the contract and it is ready to go forward. Councilmember Mattie made a motion to approve the agreement and Councilmember Bolton seconded the motion. Roll call was taken and the motion carried unanimously.

Authorize legal counsel to negotiate possible letter agreements with liquor licensees concerning alleged violations. City Attorney Downs advised that there are two possible letters to negotiate and reminded that Robert Land had been commissioned by Council for prosecution of one of the licensees. He asked Council to authorize the negotiation regarding the offers made to resolve the alleged violations short of going to hearing. Councilmember Shew moved to authorize negotiation of possible letter agreements as requested and Councilmember Bonato seconded the motion. Upon roll call vote,

the motion carried unanimously.

Authorize acquisition of land adjacent to the City Landfill for purposes of expanding the Landfill. Mayor Baca Gonzalez commented that this acquisition will not only allow for the landfill to expand but will provide a means to come into compliance. Acting City Manager Gagliardi corrected that the City won't be expanding the landfill. Public Works Director Hill further clarified that the purpose of buying the property is to use the soil for cover and that the City can't legally expand the landfill. Acting City Manager Gagliardi suggested in the future the City could consider building something on the property and using the top portion of it for a nature trail. Mayor Baca Gonzalez pointed out that this acquisition will help the City come into compliance with the state and possibly help the City avoid some fines and penalties. Acting City Manager Gagliardi advised that he needed permission to close on Thursday. Councilmember Miles pointed to page 10 of 19, #10.6.2, whereby it should read one year rather than 2012 years. A motion to authorize acquisition of the land was made by Councilmember Shew and Councilmember Bonato seconded the motion. Roll call was taken and the motion carried unanimously.

Acting City Manager Gagliardi commented that at the close of his tenure he wanted to clear up some rough items – the funeral and coroner records. He said the final eight volumes of the records are being digitized as we speak. They will be converted to flash drives. Those final eight should be back mid-December. The flash drives will be sent to the library. The coroner records will be retrieved from the bank by County Coroner Junie Verquer and brought to his office. He said the purpose with the funeral records was to save them. He said he personally doesn't care what Council wants to do with the records and it is up to them. They were the property of Mr. Sipe who is deceased, and thereafter, Mr. Sipe's next of kin who was his wife, Jamie. Acting City Manager Gagliardi said this issue caused him to start off on the wrong foot and he doesn't want to leave with a bad taste in anyone's mouth. Having talked to Ken Fletcher, he said all he wanted to do was to save the books. Acting City Manager Gagliardi noted that the Mayor is on the card to access the records. He said when he leaves on Friday he will tell International Bank President Joey DeGarbo to take his name off of the safety deposit box. Mr. Fletcher wants to place the records in the archives of the history museum where they will not be damaged because the more they are handled the more they deteriorate. The City spent \$4,870 to digitize them and they will be at the library for everyone's use. Mayor Baca Gonzalez said there may still be an issue of the actual ownership of the funeral records. While this was being sorted out they were in the care and custody of International Bank. Acting City Manager Gagliardi suggested the City do whatever they want with them. The only person who would care is Ken Fletcher. Mayor Baca Gonzalez suggested they be moved to the vault at City Hall, adding that she'd feel better if they were back in the City's custody. Councilmember Mattie suggested that since the funeral books belonged to Jamie Gagliardi and they were inherited by Mr. Gagliardi, that he convey ownership of them to the City in writing since he's wanting to give the City custody. Acting City Manager Gagliardi advised that the City should draw something up.

Approval of Employment Agreement with Les Downs for City Attorney. A motion to approve the employment agreement was made by Councilmember Bolton and seconded by Councilmember Velasquez. The motion carried by a unanimous roll call vote.

BILLS. Councilmember Bolton questioned a payment on page 3 of the bills, from the General Fund, for local agency support. She asked if some are paid bi-annually and others quarterly. Former Finance Director Rose Blatnik confirmed that to be correct. Councilmember Bolton asked about a payment identified on page 16 from the CIP Fund in the amount of \$450 for a land appraisal. Acting City Manager Gagliardi said it was for the land adjacent to the landfill. Councilmember Bolton asked if the purchase of the land was paid from the CIP fund as well. Acting City Manager Gagliardi advised that it was. A motion to approve payment of the bills as presented was made by Councilmember Shew. The motion was seconded by Councilmember Bonato. Roll call was taken on the motion to approve the bills and it carried unanimously.

PAYROLL, November 24, 2012 through December 7, 2012. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Mattie. The motion carried unanimously.

EXECUTIVE SESSION – a) 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. Section 24-6-402(4)(e) - Union negotiations & New Elk Coal water request; b) For a conference with the City/Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – legal advice on the authority of an Acting City Manager to enter into contracts. These items were heard earlier in the meeting.

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

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk