

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, July 16, 2013 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:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Special Meeting of July 1, 2013 and Regular Meeting of July 2, 2013. A motion to approve the minutes as presented was made by Councilmember Velasquez and seconded by Councilmember Shew. The motion carried unanimously.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Ken Fletcher addressed Council. He prefaced his remarks by saying that people may not agree with what he was about to say, but that would be their opinions and he has his own opinion. Mr. Fletcher said we've got some problems having to do with Jamie Sue Gagliardi's mortuary records. He said they were taken from him by the Mayor the last time he was before Council on June 4, 2013. He continued that one of the people who spoke after him (that evening) made a ghoulish statement that if Jamie Sue Gagliardi really wanted Ken Fletcher to have those records she would have given them to him before she got sick and died. No one knew Ms. Gagliardi was going to die. Some people do survive cancer. Mr. Fletcher recalled that the Mayor said that a person would have to go to Denver to order pictures of the Aultman collection. Mr. Fletcher said that is not true and never has been. Glenn Aultman sold his father's pictures to live and eventually the pictures went to Denver. At the history room in the library there are two large binders filled with information and numbers about how to order them from the Colorado Historical Society. They are listed by number and people, A through Z. You do not have to go to Denver to get them. Mr. Fletcher said he's been involved since he came to this town in 2000 with a lot of things because he likes the history, including creating a collection of obituaries for the library dating back to 1888 from microfilm. He opined that for years it has been very difficult to keep the history room intact. He thanked the people who sponsored the microfilming and maintaining the microfilm reader. He said he did a large microfilming of Trinidad newspapers that had never been done, constituting 44 rolls of film costing \$5,394.20. The people who came up with the money on their own for this project were Charlie Latuda, Buzz Sawaya, Dave Shier, Jamie Sue Gagliardi, the Trinidad Historical Society and the Library Foundation. He also thanked Mrs. Cappelucci who bought two rolls of Italian newspapers as well as the Mr. and Mrs. Bearden Foundation, Mary Ellen Hadad, Friends of Trinidad, Joe DeGarbo, Joe Tarabino, First National Bank, Century Savings & Loan, Community First National and the Mormon Foundation. They also microfilmed seven rolls of Holy Trinity Catholic Church records of baptism, death, confirmation and marriages, etc. No money was spent by the City to do this. He concluded that since 2009 he has had no more involvement because of what has happened at the library.

Gerri Snyder addressed Council. She said the spray fountain at Cimino Park is broken and it has been for some time. She said it is important for the City's children, adding that last year the recreation center was closed on the 4th of July and all of the kids were at Cimino Park having fun. Mayor Baca Gonzalez told Ms. Snyder that City Manager Acre had addressed the issue at a previous meeting and she was sure he would communicate with her. She added that she appreciated her being a responsible citizen and reporting it. Ms. Snyder said she has been interested in City government for a long time but had to leave Trinidad. Since she's returned she said she wants to be involved. Things need to be done. Finally, she said she didn't know Ken Fletcher would be here this evening and said from her brief work at the library she believes Mr. Fletcher should be recognized as a Trinidad historian and freedom of speech should never involve slander.

COUNCIL REPORTS. Councilmember Bonato said he is a native of Trinidad and each morning he looks at the beautiful mountains and surroundings we have. He thought we have probably all taken them for granted. Last Tuesday there was a major fire on Fisher's Peak. He thanked all of the first responders and people who put their heart and soul out there to get the fire out. It would have been a tragedy had the fire come down the ridge into the Allendale area. The firefighters were true professionals and they did a great job in controlling this fire. He pointed out that City Manager Acre was in contact with Council and in meetings and advising Council as to what was transpiring. He and the employees learned valuable lessons. He reiterated his appreciation to the firefighters and volunteers for their help. They are keeping a close eye on it because there might still be hot spots. He acknowledged the County's assistance as well. He said our community pulled together. Councilmember Bonato next reported that he was unable to attend the Mt. Carmel Festival; however he attended the spaghetti dinner on Sunday. He said there were no political-type discussions, just open, nice conversations. Karl Gabrielson from Mt. Carmel told him they served over 250 spaghetti dinners.

Councilmember Velasquez said she was happy to hear that the City and County worked closely together on the fire. It was great to hear that.

Councilmember Miles echoed the sentiment. She also thanked City Manager Acre for the frequent updates on the fire which enabled her to keep people well informed who posed questions to her. Secondly she reported that she attended the Economic Development Board Meeting recently. They are working really hard to clean up the lack of audits that has gone on. Things are in the works to catch up on the audits and are on pace with the strategic plan. Finally she said that she supports the idea of getting the Urban Renewal Authority up and running again. City Manager Acre said staff is working on it and will work to introduce it in August.

Councilmember Mattie said that Las Animas County Commissioner Anthony Abeyta wanted to attend this evening but had a schedule conflict. He wanted to point out that he was quite appreciative of the City's help with the fire. There

was City representation from the start to the finish by City Manager Acre. Commissioner Abeyta recognized the presence of City Manager Acre as well as Executive Secretary Anna Ridolfi and Fire Chief Leroy Perea. He appreciated the collaboration and solidarity between the City and the County. Councilmember Mattie added that the City was able to provide maps within a few hours that they would not have otherwise had that quickly. City Manager Acre thanked Jeni Jackson in the Engineering Department for helping with those maps. He pointed to a copy of the final map of the fire area at Council's seating places.

Councilmember Shew had nothing to report.

Councilmember Bolton told Council that she had occasion to ride the Amtrak train to Kansas City and happened to be seated in the dining car with several higher-ups with the Boy Scouts of America returning from Philmont Ranch. She said she talked to them about the possible termination of the Southwest Chief route. They were totally unaware of it and shocked. The representatives from the Boy Scouts said that Philmont is on the verge of a possible large expansion and they promised to mail the names and addresses of people in the organization to get involved in retaining the Southwest Chief. She said she hoped they come through with the promise.

Mayor Baca Gonzalez acknowledged the individuals in the community who stepped up to donate to assist the firefighters. She said Ms. Ridolfi was there some times from five in the morning and would then work a full day. She commended her for that. Also she said Dave Grove asked her to make a monetary contribution on his behalf to the firefighters because he was out of town. There is a tremendous support group in the City. She credited our wonderful community for pulling their resources.

REPORT BY CITY MANAGER. Nearby Fires. City Manager Acre said regarding the nearby fires last week, it was a good educational opportunity and a way for him to connect with the County's emergency manager as the City's emergency manager and get to know people in the state. He said the Incident Manager was from New Mexico who comes into Trinidad a lot. Some training the City can use is in our work to redo the Emergency Management Plan. The incident team was very open to having all of us learn and we can use the information for any kind of event. He said it was worthwhile for him to have spent that time. He expressed appreciation to Executive Secretary Anna Ridolfi, Fire Chief Leroy Perea, Captain Tim Howard and Engineering Tech. Jeni Jackson. He concluded that there are two more fires east of the peak currently that are smaller.

Broadband. City Manager Acre told Council that he will be attending a meeting in Walsenburg tomorrow with IT Director Dennis Fixmer on regional broadband.

Finance Director. City Manager Acre informed Council that the new Finance Director started today and he would bring him to the next Council work session for an introduction.

REPORT BY CITY ATTORNEY. Town Hall Meeting. City Attorney Downs told Council that while he understands Council's need and desire to hold a town hall meeting regarding ARPA (Arkansas River Power Authority) and ARPA issues, such a meeting from a legal perspective is not a good idea at this time. The City has very protracted, lengthy litigation right around the corner. Anything to do with public context will be under the microscope. He concluded that his recommendation is that a town hall-type meeting not be held regarding ARPA prior to litigation.

CIRSA (Colorado Intergovernmental Risk Sharing Agency). City Attorney Downs advised Council that Tami Tanoue of CIRSA will be here next week to address Council and has a lot to talk about. He asked Council to let him know if there was anything they wanted Ms. Tanoue to add to her agenda of discussion items so she has advance notice.

Marijuana. City Attorney Downs stated that he is working feverishly on a marijuana presentation to Council for July 30th. He asked Council to let him know if they had any specific questions they would like him to cover. He said he'd mainly be covering the laws as presently constituted and memorialized in the emergency regulations.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Retail liquor store license renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street. Carol Cometto addressed Council on behalf of the licensee as the manager of the store. Ms. Cometto provided a clarification regarding an incident that occurred whereby there was police involvement. City Attorney Downs opined that the incident was not a liquor license violation. A motion to approve the license renewal was made by Councilmember Bolton and seconded by Councilmember Mattie. The motion carried unanimously excepting Councilmember Miles who abstained. Prior to roll call, Ms. Cometto announced that a group of people have formed a bocce ball league consisting of 12 teams at Cimino Park. She said the group intends to clean and maintain the court. She extended appreciation to the City for having installed the court.

Appointment of Housing Authority Board Member. Mayor Baca Gonzalez announced the names of the applicants, Nick DeBono and Marie George, and said they are vying for the same seat. City Council needs to select one person to the Board for a five-year term. She thanked the applicants for their interest and Ms. George for her past service. A motion to reappoint Marie George to the Housing Authority Board was made by Councilmember Bonato. The motion was seconded by Councilmember Velasquez and carried with all Council Members voting aye except Councilmember Shew who abstained. Councilmember Bonato thanked Ms. George for being present this evening adding that he thought it illustrated her respect for City Council.

First reading of an ordinance amending sections contained in Chapter 4 ("Animals"), Article 2 ("Impounding") and Article 3 ("Dogs and Cats"), of the Code of Ordinances of the City of Trinidad for the purpose of decreasing the required impoundment duration of animals and to more closely align said Chapter to the Colorado Revised Statutes pertaining to dogs, 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 August 6, 2013, was made by Councilmember Shew and seconded by Councilmember

Bolton. Upon roll call vote, the motion carried unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS CONTAINED IN CHAPTER 4 ("ANIMALS"), ARTICLE 2 ("IMPOUNDING") AND ARTICLE 3 ("DOGS AND CATS"), OF THE CODE OF ORDINANCES OF THE CITY OF TRINIDAD FOR THE PURPOSE OF DECREASING THE REQUIRED IMPOUNDMENT DURATION OF ANIMALS AND TO MORE CLOSELY ALIGN SAID CHAPTER TO THE COLORADO REVISED STATUTES PERTAINING TO DOGS

Resolution adopting a policy for the naming of public property. Mayor Baca Gonzalez reminded Council that Asst. Planner Karen Wolf presented the policy at the previous work session. Councilmember Bolton commented that she liked the change made to Article 5, Section 4. A motion to adopt the resolution was made by Councilmember Miles and seconded by Councilmember Velasquez. The motion carried unanimously upon roll call vote.

RESOLUTION NO. 1416

RESOLUTION ADOPTING A POLICY FOR THE NAMING OF PUBLIC PROPERTY

Consideration of bid results for Project #03-2013 Asphaltic Paving. City Manager Acre reminded Council that this item was discussed at the previous work session. He said staff is ready to go forward with the project and requests Council accept the low bid and allow the Mayor to sign the standard construction contract pending the relative contract documents. Councilmember Mattie moved to accept the bid received from Walsenburg Sand & Gravel in the amount of \$602,420 for Project #03-2013, the 2013 Asphalt Paving Project, and authorize the Mayor to execute the City's standard contract document contingent for said contract upon receipt of the required payment and performance bonds. The motion was seconded by Councilmember Bonato and carried by a unanimous roll call vote.

BILLS. A motion to approve payment of the bills was made by Councilmember Bolton. The motion was seconded by Councilmember Velasquez. Roll call was taken on the motion and it carried unanimously.

PAYROLL, July 6, 2013 through July 19, 2013. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried unanimously.

EXECUTIVE SESSION. 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; or personnel policies that do not require the discussion of matters personal to particular employees – Quarterly informal City Manager review of performance and relationship to Council. A motion to enter into executive session for the stated purpose was made by Councilmember Velasquez and seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously. The executive session ensued at 8:05 p.m. Upon conclusion of the executive session at 8:58 p.m., the meeting resumed.

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

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk