

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, January 21, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

**APPROVAL OF THE MINUTES.** Regular Meeting of January 7, 2014. A motion to approve the minutes as presented was made by Councilmember Miles and seconded by Councilmember Bolton. The motion carried unanimously upon roll call vote.

**PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN.** Jim Vigil to address Council concerning: 1) Update on Trinidad Lake State Park and introduction of new manager; and 2) Update on Rural Philanthropy Days to be held in Trinidad in September, 2014. Mr. Vigil addressed Council and thanked them for the opportunity. He reminded Council that he is a Colorado Parks & Wildlife Commission appointee, which among other things oversees the 42 state parks in Colorado. Mr. Vigil said our Trinidad Lake State Park is his favorite. He introduced Crystal Dryling, the new manager of Trinidad Lake State Park. Ms. Dryling addressed Council. She told them that Trinidad has been very welcoming to her and it has been a pleasure to be here and she will continue to work with the City. Ms. Dryling said that the perception is that employees of the state parks in Colorado get moved against their will; however she had her sites on Trinidad for a long time and had done research before putting in for the position here. She said she's only been here one month and came from the Denver area. The park has been a big part of this community from what she can tell, seeing about 120,000 visitors per year. That visitation has been stable but growing, as has the revenue each year. She said she recently learned about the master trail plan from the City to Trinidad Lake State Park which will be an exciting project and important to the park and to her on a personal level. Mayor Reorda encouraged Ms. Dryling to come back to Council with updates, adding that the City wants to protect its part of the pool, and work with her and the state. Ms. Dryling said it would be her pleasure to return. Mr. Vigil told Council that with respect to the trail to the lake that is in the planning stage, there is grant funding that comes through the Parks & Wildlife Commission, for which he will have a say on both ends, trying to drive it from this end and also at the approval end. The last grant submitted by the City was for a bridge over the river. The state is divided into four regions. Trinidad is in the southwest region. That project is #2 in the region's priority list and he said he has promoted that project. Mr. Vigil next told Council that he is a member of the steering committee of the Southeast Rural Philanthropy Days. He explained that back in the 1990s the major grant funders in Colorado, located mostly in Boulder, Denver and Colorado Springs, realized that the vast majority of the funding they were giving out to non-profits was going to the metro area non-profit agencies, from Boulder down to Colorado Springs. Essentially nothing was allocated to rural Colorado, maybe 3%. The funders driven by the Anschutz Foundation decided to place more funds in rural Colorado. So they formed Rural Philanthropy Days which has evolved since the 1990s. This program brings the funders, non-profits and agencies together for technical training and for making pitches for funding of the non-profits. The event takes place for three days every four years in each region. He announced that in 2014, Rural Philanthropy Days will be held in Trinidad for the first time ever. This event has always been held previously in La Junta. Our region consists of eight counties – Las Animas, Huerfano, Otero, Crowley, Kiowa, Prowers, Baca and Bent Counties. Rural Philanthropy Days will be held from September 24<sup>th</sup> through September 26<sup>th</sup> in Trinidad. Mr. Vigil described it as a big deal, bringing about 300 people into the City and 20 major funders. The whole event is being organized by a steering committee of about 25 individuals. There are a number of those individuals from our community. The steering committee is led by three chairwomen. Mr. Vigil identified two of the three present in the audience – Linda Perry and Harriet Vaugeois. Linda Perry addressed Council and said this is a fabulous opportunity for our community. She said she's taken on this role because of her passion for this region, community, our state and the non-profits. Rural Philanthropy Days will be the community's non-profits' opportunity to tell their story to funders and it can impact our community in an outstanding and positive way. She noted that the third tri-chairwoman is from La Junta. She brings experience, having worked on the Rural Philanthropy Days committees when it was in La Junta. She reiterated that this is a great opportunity for our community. Ms. Vaugeois said she loves working with Ms. Perry and Jim Vigil in this capacity. If they listed the involvement with the people in this room it will levitate the City this summer because of the positive energy and all that is happening in this community. She said she and Ms. Perry weren't involved throughout the past 16 years in this region and they've found that Trinidad is really the outlier of the region. We were not part of the planning. Now we have the opportunity to show other counties in the region what is happening in our town and show it to the funders and other government agencies. She said they are so excited about the local planning. The other counties with convention centers or colleges had everything in one place, so people visiting for the Rural Philanthropy Days didn't see the area. It will not be done that way in Trinidad. What we can show off in our new creative district is amazing. Ms. Vaugeois said Council, as the government representatives, are critical components in this event. There will be an April listening tour. The listening tour is where the funders come down ahead of time and meet with the major stakeholders in government, the schools and the college and just listen about what is happening in our town, who we are, and what we have been able to do with a little bit. At a meeting in Crowley County, they had an ice-breaker whereby they asked why anybody should fund each individual's community. Kim Lucero, who represents our hospital, gave the answer that our community should be funded because we do big things with a little bit of money. They will be listening - it is time for us to put into words why we stay here, why we love this place and why we deserve to be supported. Ms. Perry announced that the next steering committee meeting will be on Thursday, February 20<sup>th</sup> at Mt. Carmel from 11:00 a.m. to 2:00 p.m. and she asked that those interested RSVP to Mt. Carmel. Mayor Reorda asked what positions the expected 300 people will be from. Ms. Vaugeois said there will be about 15 major funders, 30 government officials and the rest are non-profits from our eight-county region, plus there is a youth track. There will be a special program for the youth coming from all of the counties to

learn how to turn their passion into action, how you give back, and how you make a difference. Mayor Reorda encouraged them to use Council. Mr. Vigil added that under the steering committee there are several subcommittees where a lot of specialized work gets done, such as the programs, hospitality, marketing, fundraising, youth track and funder and government engagement. He said the latter's role, of which he is a co-chair, is to produce an eight to ten minute video showcasing our whole region to be shown to the funders. They also have to reach out to the local, state and federal government, such as the rural development arm under the Department of Agriculture, to have them at the table. That's what he is doing right now. This event will be a great opportunity to showcase our community and show what it has to offer and to get funding for the non-profits. The expenses to host the event are estimated at \$50,000 and so fundraising will be key. For the first time the Rural Philanthropy Days event received a major contribution challenge. They received a \$25,000 challenge grant from Pioneer Natural Resources, whereby all they will have to do is raise the other \$25,000. The \$25,000 to be raised will come from the eight-county region. Mr. Vigil pointed out that the biggest benefactor of the event will be Trinidad and Las Animas County. Since we are hosting the event the restaurants and hotels should experience the kick and hopefully there will be some shopping at our businesses. We need to have an event in this community we can all be proud of. He told Council that they are all welcome to attend the next meeting. Mayor Reorda suggested Council could organize a fundraiser.

Tom Murphy addressed Council regarding transparency. He spoke of a recent County Commissioner's meeting he attended where they discussed the fact that parts of the courthouse failing. The roof was repaired in 1998 or 1999 and was supposed to last 40 years. The taxpayers again will get left holding the bag. The company is no longer in business and the County will pursue litigation. He questioned who they would hold responsible. The elected officials and administrators are no longer in office. He said the issue reminded him and so he questioned what is happening with the North Lake Dam. This was supposed to be a 2004/2005 project. They were assured last year that the project would be completed by December, 2013. There's been nothing on the agenda and nothing in the City Manager report, nothing that he's seen that says it was done or not done. Mr. Murphy said he hopes this is not another boondoggle like the Justice Center, the jail conversion for social services, the million dollar barn at the fairgrounds or the ultimate boondoggle - ARPA. He asked who will take responsibility for these large failures. Other than the air we breathe, water is critical to our survival. He said he has questions that he would like answers for next week or the following at a public meeting - what was the original cost of the dam project? How many change orders were added to the project? When will the project be completed? He said he might have additional questions he will e-mail. Mr. Murphy said Trinidad has the one-cent sales tax ballot question in November. If this is a boondoggle he doubted people would support the sales tax. All you have to do is see what happened in November with the hospital. The last Public Works Director left after being drug through the mud for a minor project. He saw the handwriting on the wall and went back to where he came from. Mr. Murphy said he believes the City should have a surplus of funds for capital improvements left over. How much do you have or did it get put into the general fund? There are a lot of contractors just waiting for work, so hopefully we can get started on that. He asked Council, if they did know about this, when they found out, adding that he didn't hear any reports in the meetings he has attended. If they don't know, he asked why they didn't because this is vital to the survival of this community. He asked that it be reported in a public meeting because spring is right around the corner and we can't survive without water. He said his understanding is the contractor pulled out until spring. If that is true, when will it be done? Also, a man lost his life on the project, yet he didn't see anyone asking for an investigation. Maybe the City's hands were tied legally, but it was a real tragedy. Mayor Reorda responded that he would get the answers.

#### **COUNCIL REPORTS.** None.

**REPORTS BY CITY MANAGER.** Financial Reports. City Manager Acre pointed out that he sent Council a copy of the November, 2013 financial reports and sales tax report. He said there will be a brief work session item on them next week. He asked Council to let him know if they have advance questions.

Amtrak. City Manager Acre reminded that he also sent out a couple of e-mails to Council regarding an Amtrak Bill going through the legislature right now proposed to form a commission to try to come up with funding and work out details for extending the Amtrak rail line through Pueblo with a potential stop in Walsenburg. He said he along with the City Managers in La Junta and Lamar are watching the Bill closely to make sure we don't get left out and to make sure it is reasonable. One of their initial thoughts is the way this Bill is written currently, if Pueblo is not included the commission goes away. They think the commission should stay regardless.

Telephone polling. City Manager Acre said Councilmember Mattie raised a question with him concerning some telephone polling that is going on. The Impact Group is doing the polling. It is comprised of the metro area Mayors and Action 22 and a few other groups across the state trying to gage the public's taste for a ballot measure to add another 0.7% sales tax to help fund transportation. The articles from newspapers up north indicate that they are going to pull that from consideration. Councilmember Mattie said there were three questions: Are you aware that Amtrak runs through La Junta and Lamar through Trinidad and to Raton? They are really targeting and asking questions such as if we know about the rail; Are you aware it goes through Raton? Are you aware that the tracks are in need of repair? Are you willing to have the state expend 10% of 1/3 of the transportation budget to rectify that problem?

Financial reports. Mayor Reorda asked if the union was provided a copy of the financial reports. City Manager Acre responded affirmatively.

**REPORTS BY CITY ATTORNEY.** Legislative Changes. City Attorney Downs told Council that there are a number of legislative changes winding their way through the Legislature. One that is big for Trinidad is a change in the Colorado Open Records Act. He said the legislation can be followed through CML's newsletter or through their website.

Medical Marijuana. City Attorney Downs told Council that there was a good article in the Chronicle News yesterday talking about places in Washington State where communities have been sued for not having enacted a prohibition or moratorium to allow them to be in the marijuana business. If they don't have something in place banning marijuana businesses they are suing to be allowed to do it. There was also an item in the Pueblo Chieftain that talked about that. We are dealing with this. We are getting a tremendous amount of phone calls about recreational and medical marijuana. One

individual who he said he spoke to came through real estate agent Ed Trommeter about cultivation in Industrial Park. He is very interested. He is looking at taking the old Pepsi building and turning it into a cultivation facility. Councilmember Bonato commented that to be the best place for it. Mayor Reorda commented that we need to open it up to locals first. Councilmember Miles asked City Attorney Downs to talk to Council their quasi-judicial role in talking to potential licensees. City Attorney Downs said Council wears many hats. He suggested they will have every licensee coming before them asking for a license. Likely they will have people, and some they know, interested in being in the medical marijuana business. He said they need to be very independent and not be lobbied by people telling them what they want or what they are seeking. They cannot be in a quasi-judicial position and appropriately deal with these things. He suggested they be sent to him. He said he's sure they will be subjected to that. Councilmember Miles asked if they'd be talking about the ordinance at the next work session. City Attorney Downs said that would be great. Mayor Reorda said he'd appreciate someone in this office getting something in the paper to discuss these matters with staff and not with Council members. He added that they need to get on this matter. City Attorney Downs asked Council to let him know in advance if they have any areas of concern.

**UNFINISHED BUSINESS.** None.

**MISCELLANEOUS BUSINESS.** Consideration of bid results for the purchase of aluminum sulfate for the City of Trinidad Water Treatment Plant. City Manager Acre advised Council that each year the City goes out to bid for aluminum sulfate which is used to purify the City's water supply. Three bids were received, from DPC Industries, Treatment Technology, and Univar. He further advised that DPC Industries was the low bidder, noting that they were likewise the low bidder last year and the City was satisfied with their service. He recommended the approval of the low bid from DPC Industries. A motion to accept the low bid submitted by DPC Industries, Inc., in the amount of \$32,634.00 was made by Councilmember Bolton and seconded by Councilmember Torres. Upon roll call vote the motion carried unanimously.

Transfer of ownership of a retail liquor store license by Elizabeth Jameson d/b/a Drop City Liquor at 155 Elm Street (formerly Johnny M. and Elizabeth A. Jameson). Ms. Jameson's presence in the audience was noted. Councilmember Miles asked for a description of what is transpiring. City Attorney Downs explained that the license is being proposed for transfer from two individuals to one. Elizabeth Jameson was on the license before and it will be transferring to her as a sole proprietor. He advised that Council needs to set the request for public hearing. A motion to set the transfer application for consideration at a public hearing on Tuesday, February 18, 2014 at 7:00 p.m. was made by Councilmember Bolton and seconded by Councilmember Fletcher. The motion carried unanimously upon roll call vote.

Temporary permit request by Elizabeth Jameson d/b/a Drop City Liquor at 155 Elm Street. Mayor Reorda asked about the disclosure statement provided to Council. Councilmember Miles explained that because she has an interest in a liquor store, it might be a perceived conflict of interest for her to act on liquor licenses. City Attorney Downs added that it is essentially a disclaimer the City has divulging the fact that she has a license. Mayor Reorda confirmed that it does not preclude her from voting one way or another on liquor matters. Councilmember Fletcher made a motion to approve the temporary permit and the motion was seconded by Councilmember Bonato. Upon roll call vote, the motion carried unanimously.

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

**PAYROLL,** January 4, 2014 through January 17, 2014. Councilmember Fletcher asked about a payroll expense in the Police Department entitled Holiday Compensation in the amount of \$45,677.71. Finance Director Medina explained that when employees work holidays or more hours and get comp time the City pays it at one time at the end of November for the year. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. Roll call was taken and the motion carried unanimously.

Water. Councilmember Bonato asked if the City knows what the snowpack is. Administrative Assistant Linda Vigil said she did not. City Manager Acre said he would get the information for Council. Councilmember Bonato said he heard on the news that this area is at 100%. Mayor Reorda added that he read an article that said there are eleven states considered as drought areas.

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

ATTEST:

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JOSEPH A. REORDA, Mayor

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AUDRA GARRETT, City Clerk