



Rocky Ford

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ROCKY FORD CITY COUNCIL April 25, 2017

Rocky Ford City Council met for a work session with City Manager Gary Cox at 6:00 p.m. on Tuesday, April 25, 2017 in Council Chambers. Following the work session, they met in regular session at 7:00 p.m. Mayor Sitton called the regular meeting to order. Those present at roll call were:

Mayor: Jarold Sitton

Councilmembers: Susan Jung, J. R. Thompson, Charles Pattie, Rachel Patrick, Rich Geist, Leon Ortega

Staff: City Manager Gary Cox, City Attorney H. Barton Mendenhall, City Clerk Cheryl Grasmick

Others present: Sally Cope, Bill McKnight, Randy Kurtz, Jack E. Barker, Cliff Hosea, Rich Hosea, Dora Luna, Frances Perez, Felicia Montoya, D. Jaramillo, 6 unidentified supporters for Jack Barker, Brian Burney, Mike Journey, Paul Renteria, Jolly Rose, Dorothy Perea.

Mayor Sitton led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Thompson moved to approve the minutes of the regular April 11, 2017 Council meeting as presented. Motion was seconded by Councilmember Patrick. Voting results were:

YES Jung, Thompson, Pattie, Patrick, Geist, Ortega, Sitton
NO None

Motion carried 7-0.

APPROVAL OF AGENDA

It was moved by Councilmember Thompson and seconded by Councilmember Ortega to approve the agenda as presented with consent items. Voting results were:

YES Jung, Thompson, Pattie, Patrick, Geist, Ortega, Sitton
NO No

Motion carried 7-0.

Consent items approved were a hotel & restaurant liquor license renewal for Mission Deli located at 401 N 145h Street in Rocky Ford, and ten special event permits for the Arkansas Valley Exposition and Fair Association for the following dates:

May 6, 2017	11:00 a.m. to 12:00 Midnight	Kentucky Derby Party at Gobin Bldg.
Aug 16, 17 & 20, 2017	11:00 a.m. to 12:00 Midnight	AVF Grandstand Beer Garden
Aug 18 & 19, 2017	11:00 a.m. to 1:00 a.m.	AVF Grandstand Beer Garden
Aug 16 & 17, 2017	11:00 a.m. to 12:00 Midnight	AVF Entertainment Pavilion
Aug 18 & 19, 2017	11:00 a.m. to 1:00 a.m.	AVF Entertainment Pavilion

CITIZEN'S REQUEST TO SPEAK TO COUNCIL

Jack Barker, owner of IWT, advised Council of his concerns for security for city property he is leasing on Industrial Park Road. He observed that the property is being used a lot by the public. Because of burglary concerns, he and his employees are “manning” the property 24/7. Mr. Barker presented two requests to Council. First, he asked Council for the authority to post and gate the property. His second request was that Council consider owner financing for a loan so that he could purchase the property. Mayor Sitton thanked him for his comments and said that Council would take his requests under advisement.

Mike Journey and Brian Burney, both local business owners, spoke in favor of the City working with Jack Barker to keep IWT in the community. They both expressed a need to keep businesses here.

Paul Renteria addressed Council with his concerns with possible problems if the Habitat Construction, LLC, and McKeefe Ventures LLC properties were annexed into city limits. Mr. Renteria said that drugs were already an issue in the area and he did not feel the City needed any more. He wanted Council to answer questions on how water and wastewater would be addressed for a marijuana grow, how burning would affect the quality of the air for the community, how ventilation would be provided and how the property security would be addressed. Council advised Mr. Renteria that they would only be considering the annexation of the properties during the public hearing and that use of the property would be a future matter that must follow zoning code. Any issues regarding use would need to be addressed separately from the hearing. Mayor Sitton reiterated that the annexation hearing was for the property only and that any future use of the building was not under consideration at this point.

PUBLIC HEARING FOR ANNEXATION

Mayor Sitton opened the public hearing for the two annexation requests submitted by Habitat Construction, LLC, and McKeefe Ventures, LLC, at 7:15 p.m. in Council Chambers. Council was presented with packets containing the annexation petitions and accompanying documents, which were admitted as exhibits. Staff did not have any further information to add to the packets. The two applicants were sworn in and had nothing more to say when asked if they wanted to testify.

After being sworn in to testify, Paul Renteria addressed Council with his concerns with possible problems if the Habitat Construction, LLC, and McKeefe Ventures LLC properties were annexed into city limits. Mr. Renteria said that drugs were already an issue in the area and he did not feel the City needed any more. He wanted Council to answer questions on how water and wastewater would be addressed for a marijuana grow, how burning would affect the quality of the air for the community, how ventilation would be provided and how the property security would be addressed. Council advised Mr. Renteria that they would only be considering the annexation of the properties during the public hearing and that any other use of the property would have to go through other processes. Mayor Sitton reiterated that the annexation hearing was for the property only and that any future use of the building was not under consideration at this point.

No one else spoke for or against the petition requests at this time. After Council confirmed they did not have any questions or discussion, Mayor Sitton closed the public hearing at 7:20 p.m.

ORDINANCE CONSIDERATION

Following the closing of the public hearing for the annexation, Ordinance #922 concerning annexation of property was introduced, considered and passed on first reading. Councilmember Thompson moved to approve **Ordinance #922: An Ordinance Concerning Annexation Of Property** on first reading.

Councilmember Patrick seconded motion. Voting results were:

YES	Jung, Thompson, Pattie, Patrick, Geist
NO	None

ABSTAIN Ortega, Sitton
Ordinance #922 passed on first reading 5-0, with 2 abstentions.

Councilmember Ortega and Mayor Sitton advised Council that they abstained from voting because of prior conversations with Bill McKnight from McKeefe Ventures, LLC.

STAFF REPORTS AND UPDATES

City Manager Gary Cox reported on the following items:

- Public Safety Building meeting was held April 20. Members of committee were advised that the project funding is short. Additional funding will be needed to complete the project. Grant application was not accepted by the Gates Foundation and other funding options have been pretty well exhausted. The next step will be to meet with USDA to discuss any options available with their department. One of suggestions proposed during building committee meeting was to make the emergency service fund an enterprise fund, similar to the water, sewer and garbage funds. This will be researched and an ordinance will be drafted to present to Council for their consideration.
- Repair work on a part of sewer line in City Hall basement is completed. Rotted cast iron pipe was removed and replaced with PVC. If the rusted pipes had broken, City would have faced a major catastrophe with ruined records and computers that are stored downstairs. Two commodes still need to be replaced in the ladies restroom in north hall.
- Groundbreaking ceremony for Melon Field Project is May 1 at 8:30 a.m.
- CIRSA/CML workshop presentation by Tami Tanoue will be May 4 from 5:30 p.m. to 7:00 p.m. at La Junta Senior Center.
- City Manager Cox gave an update on cement project along Highway 50 west by Global Treasurz. Because setting rocks in the cement would have created a trip hazard, only colored concrete was used.

OLD BUSINESS – None

NEW BUSINESS – None

RESOLUTION CONSIDERATION – None

CITIZEN'S REQUEST TO SPEAK TO COUNCIL - None

MAYOR AND CITY COUNCIL – SPECIAL REPORTS & UPDATES

Councilmember Pattie reported on OCLI/OPI meetings. OCLI is basically waiting for the state health department's approval of soil samples so they can continue with steps for closure Site 1. They are basically at a standstill until they get that approval. The Otero County Health Department will conduct a waste audit on May 16. OPI approved one more loan application and are done until next quarter.

Councilmember Jung shared that she plans on sponsoring a table at "Cruisin' Into Summer" to collect pledges and donations for the public safety building. She will set up her table in front of City Hall from 10:00 a.m. to 2:00 p.m. on June 3; her goal is set for \$300.00.

Mayor Sitton participated in an Action 22 conference call. The committee is looking at a house bill (HB) regarding road tax. Next meeting for Action 22 is May 14 in Pueblo. Mayor Sitton then gave updates for the

Tree Board. They are happy with the cement project. Arbor Day celebration presentations and activities are planned for April 27, 2017. Sites for planting trees are the Rocky Ford High School, Jefferson Intermediate School and in front of City Hall.

EXECUTIVE SESSION

Councilmember Jung moved that Council and City Manager Gary Cox go into executive session with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b). Motion was seconded by Councilmember Thompson

Voting results were:

YES	Jung, Thompson, Pattie, Patrick, Geist, Ortega, Sitton
NO	None

Motion carried 7-0.

Council went into executive session in the conference room at 7:32 p.m. and returned from the session at 8:05 p.m. Mayor Sitton announced that participants in the executive session were Councilmembers Jung, Thompson, Pattie, Patrick, Geist, Ortega, himself, City Manager Gary Cox and City Attorney Bart Mendenhall. No one stated any concern for the record when Mayor Sitton asked if any participants believed any improper discussion or action.

There was no further action taken at this time.

ITEMS FOR NEXT AGENDA

- Second Reading for Ordinance #922: An Ordinance Concerning Annexation of Property
- IWT discussion

ADJOURNMENT

Councilmember Thompson moved to adjourn. There being no further business, Mayor Sitton adjourned meeting.

Jarold Sitton, Mayor

Cheryl Grasmick, City Clerk