



ROCKY FORD CITY COUNCIL

June 12, 2018

Rocky Ford City Council met with Interim City Manager Steve Rabe, City Attorney Bart Mendenhall and Public Works Director Rick Long for a council work session at 6:00 p.m. on Tuesday, June 12, 2018, in Council Chambers. Interim City Manager Rabe presented a follow-up on Fund Balance Policy. Then Public Works Director Rick Long presented information for a discussion on trash trucks, enterprise fund and trash services.

Following the work session, Council met in regular session at 7:00 p.m. Mayor Thompson called meeting to order. Those present at roll call were:

Mayor: J. R. Thompson

Councilmembers: Susan Jung, Cuco Ruiz, Charles "Bill" Pattie, Rachel Patrick, Rich Geist

Staff: Interim City Manager Steve Rabe, City Attorney Bart Mendenhall, City Clerk Cheryl Grasmick

Others present: Julie Sveinsson, Connie Ayala, Jolly Rose, Laura Thompson.

Mayor Thompson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Patrick moved to approve the minutes from the regular **May 22, 2018** council meeting as presented. Motion was seconded by Councilmember Jung. Voting results were:

YES Jung, Ruiz, Pattie, Patrick, Geist, Thompson

NO None

ABSENT Hunter

Motion carried 6-0.

CITIZEN PARTICIPATION - None

APPROVAL OF AGENDA

Councilmember Pattie moved to approve the agenda with consent item as presented. Councilmember Patrick seconded motion. Voting results were:

YES Jung, Ruiz, Pattie, Patrick, Geist, Thompson

NO None

ABSENT Hunter

Motion carried 6-0.

Consent item approved was a renewal application for hotel & restaurant liquor license for Fiesta Café, located at 400 North 11th Street, Rocky Ford, CO.

PUBLIC HEARING/RETAIL MARIJUANA LICENSE FOR ROCKY FARMS

Mayor Thompson opened the public hearing at 7:05 p.m. for a new retail marijuana store license for Rocky Farms, LLC d.b.a. Rocky Farms located at 1709 Swink Avenue, Rocky Ford, CO. Those present were Councilmembers Jung, Ruiz, Pattie, Patrick, Geist and himself, Mayor Thompson. He advised Council of the hearing procedure and then asked Council if (1) any of them had any personal interest in this issue, (2) if they could hear and consider this application in a fair and objective manner and (3) if any of them had engaged in any ex parte communications with either proponents or opponents. Councilmembers all answered no to questions 1 and 3, and yes to question 2.

City Clerk Grasmick reported the application was complete, in order, all fees paid and Colorado Marijuana Enforcement had already issued the state license contingent upon the City approving the local license. Mayor Thompson admitted the contents of the license packets given to City Council, sitting as the Local Marijuana Licensing Authority, as evidence for the hearing.

City Clerk Grasmick administered an oath to tell the truth to Julie Sveinsson, Rocky Farms owner. Her husband, Jeff Sveinsson, was out of the country and unable to attend the meeting. Mrs. Sveinsson then presented information regarding their application for the retail marijuana store license and answered questions from Council.

Mayor Thompson asked for any public testimony, both in favor and opposed to the application. No one responded. Mayor Thompson then closed the public hearing at 7:23 p.m.

APPROVAL OF RETAIL MARIJUANA STORE LICENSE

After the regular Council session re-convened, Councilmember Patrick moved to approve the application for a retail marijuana store license from Rocky Farms, LLC d.b.a. Rocky Farms. Motion was seconded by Councilmember Geist. Voting results were:

YES	Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO	None
ABSENT	Hunter

Motion carried 6-0.

APPROVAL OF MODIFICATION OF PREMISES-ROCKY FARMS

It was moved by Councilmember Jung and seconded by Councilmember Patrick to approve the modification of premises for Rocky Farms as presented. Voting results were:

YES	Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO	None
ABSENT	Hunter

Motion carried 6-0.

These modification plans will separate the sale of both medical marijuana and retail marijuana at the same location inside Rocky Farms, 1709 Swink Ave., Rocky Ford, CO.

RESOLUTION #8, 2018 SERIES

This resolution will establish a current schedule of fees and charges for the use of various pieces of City-owned equipment. It will also assist the City in figuring the monetary value of in-kind services that are allowed for matching contributions for various grant applications. Councilmember Patrick moved to approve and adopt **Resolution #8, Series 2018: A Resolution Establishing A Fee Schedule For City-Owned Equipment**. Councilmember Ruiz seconded motion. Voting results were:

YES Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO None
ABSENT Hunter

Motion carried 6-0.

SET HEARING DATE FOR MEDICAL MARIJUANA CENTER LICENSE – THE STATION

The City received a medical Marijuana center license application, along with appropriate fees, from Jack Pease, owner of Rocky Ford Station LLC d.b.a. The Station, on May 28, 2018. Per Colorado Revised Statutes, Rocky Ford City Council must set a public hearing date for consideration of the license a minimum of 30 days from this evening. It was moved by Councilmember Patrick and seconded by Councilmember Jung to approve the setting of a public hearing for consideration of a medical marijuana center license application for Rocky Ford Station, LLC, d.b.a. The Station, 1701 Elm Avenue, Rocky Ford, at 7:00 p.m. on Tuesday, July 24, 2018. Voting results were:

YES Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO None
ABSENT Hunter

Motion carried 6-0.

STAFF REPORTS

Interim City Manager Steve Rabe covered items in his report during the work session earlier this evening.

MAYOR/CITY COUNCIL REPORTS/UPDATES

Councilmember Jung reported on the Action 22 Meet and Greet held at the Rocky Ford Depot baggage room on Monday, June 11, 2018, from 5:00 p.m. to 7:00 p.m. There were only 6 or 7 people present, but it was a very rewarding meeting. Sarah Blackhurst, Action 22 Executive Director, would like to do another Meet and Greet in late August or September. Jung also reported the start of the swimming season is going fairly well and attendance is good.

Mayor Thompson, also a Swimming Pool Commission member, reported that the pool would be closed this weekend, June 15-17, for a Blue Marlin swim meet. He then reported there were two vacancies on the Swimming Pool Commission and asked Council to consider one re-appointment and one new appointment. Councilmember Pattie moved to re-appoint Casee Finnell and to appoint Cheryl Hutton to the Swimming Pool Commission, both for 3-year terms that expire December 31, 2020. Motion was seconded by Councilmember Patrick. Voting results were:

YES Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO None
ABSENT Hunter

Motion carried 6-0.

Councilmember Ruiz reported he is still working on plans for a community clean-up day. Since plans to convene a planning meeting have been unsuccessful, he shared his own plans for proceeding with clean-up. He would send volunteers to their own home areas and also to fairgrounds area.

Councilmember Pattie did not have any reports for OCLI or OPI. Those board meetings will be held Monday, June 18.

Councilmember Patrick reported that the Rocky Ford Planning Commission held a public hearing for a Use By Review permit. This permit will allow Christina and Michael Salas to operate an auto detailing business at their residence of 402 North 10th Street, Rocky Ford, which is in an R-3 zone. Approval of the Planning Commission recommendation will be put on the June 26 Council agenda.

Councilmember Geist reported on recent Museum Board meeting. They received a mudjacking quote of \$44,000.00 to shore up the foundations of the old former Carnegie Library Building. Currently they are getting bids for floor and drywall work that will need to be done after foundation is stabilized. Proximity of building to the Rocky Ford Ditch has caused the 100-year old building to settle.

Interim City Manager reported that Rocky Ford City Council will meet with Jim Rizzuto at 6:00 p.m. on Tuesday, June 26, 2018, at the Council work session.

Councilmember Pattie reported that plastic covering at new Public Safety Building has blown out and needs to be replaced to protect the interior from the elements.

CITIZEN'S REQUEST TO SPEAK TO COUNCIL - None

ITEMS FOR CONSIDERATION AT FUTURE AGENDA

- City Manager Candidate Interview
- Resolution for Charges/Fees at City Park Facilities
- Fund Balance Policy
- Trash Ordinance
- Approval of Special Use By Review
- Report from Councilmember Jung on CML Annual Conference in Vail

EXECUTIVE SESSION

Councilmember Ruiz moved that Councilmembers Jung, Pattie, Patrick, Geist and himself, Mayor Thompson, and Interim City Manager Rabe go into executive session to hold a conference with City Attorney Bart Mendenhall to receive legal advice with regard to the potential purchase, acquisition, lease, transfer or sale of any real property or other property interest, specifically regarding IWT, pursuant to C.R.S. § 24-6-402(4)(a). Motion was seconded by Councilmember Patrick. Voting results were:

YES	Jung, Ruiz, Pattie, Patrick, Geist, Thompson
NO	None
ABSENT	Hunter

Motion carried 6-0.

Council went into conference room for executive session at 7:50 p.m. and returned to Council Chambers at 8:12 p.m. There was no action taken.

ADJOURNMENT

Councilmember Jung moved to adjourn. There being no further business, Mayor Thompson adjourned meeting at 8:15 p.m.

J. R. Thompson, Mayor

Cheryl Grasmick, City Clerk