

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
City Council Regular Session Meeting
October 4th, 2011 6:30 p.m.

Mayor Quintana called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. Council members present were: Rick Jennings, Silvana Lind, Gary Sporcich, Nick Vigil, David Mockmore, Erin Jerant, Craig Lessar, James Moore and Mayor Quintana. Others present included City Attorney Daniel Hyatt, Acting Administrator Beth Neece, Finance Director Dave Johnston, City Clerk Wanda Britt and Treasurer Jacque Sikes.

APPROVAL OF AGENDA

Council member Jerant moved to remove item 11d. Ordinance Number 1005 from the agenda. Council member Lind moved to approve the Agenda with changes, seconded by Mayor Pro Tem Lessar. Passed on a roll call vote 9-0.

COMMENTS BY MAYOR

Mayor Quintana read a proclamation naming October 2011 “Domestic Violence Awareness Month”.

Mayor Quintana acknowledged the receipt of a photo award for the City’s participation in building the School District Sports Complex; and he recognized the city crews for all their outstanding hard work and dedication to help complete the Sports Complex.

APPROVAL OF MINUTES

Council member Mockmore moved to approve the minutes of the September 20th, 2011, Regular Council meeting, with change, seconded by Mayor Pro Tem Lessar. Passed on a roll call vote of 9-0.

Committee Reports

Finance Committee Report-Mayor Pro Tem Lessar stated the committee covered the ordorization equipment for the gas department. With the recommendation from Gas Superintendent Art Ortiz, Council will vote later in the meeting to determine whether to purchase the unit.

Mayor Pro Tem Lessar stated the City received a payment on the insurance claim for the boiler at the pool in the amount of \$6,259.47 to recoup some of the cost of opening the pool. He stated the committee did not discuss the Audit, which will be done at tonight’s meeting.

Utility Committee- Council member Jerant stated the committee discussed sewer fee tap costs for citizens that are improving their sewer line to separate from dual use. She stated they would discuss this issue with City Attorney Dan Hyatt.

Parks and Recreation Committee-Council member Mockmore stated total revenue for the Walsenburg Water Park was \$106,139.00 and expenditures were 105,319.00 with an operating profit for the Walsenburg Water Park for the year was \$820.00.

Youth Advisory Committee-Council member Sporcich stated the committee had a couple of applications to review, one was put on hold due to incomplete information and the committee will review it when they receive the necessary information. The other application was from the Citizens for the Skate Park requesting \$350.00 to purchase some skateboards for the grand opening. Committee approved application for action with Council.

Charles Bryant explained to Council how they planned to give away the skateboards to draw a youth's name and they had to be present for the drawing at the Grand Opening.

Mayor Quintana stated originally the request for money was to be use for cement at the Skate Park, Mr. Bryant stated there were funds in the account for the needed cement, and the committee for the skate park requested a donation from the Youth Activity Fund for equipment for the community youth. Mayor Quintana asked when he thought the skate park would have the grand opening. Mr. Bryant replied at the end of October, 2011.

Council member Sporcich explained to Council the by-laws state the funds are to be used on the Youth. The Youth Activity Fund donation could not be used for cement at the skate park.

Council member Lind stated the committee had requested the winners would sign for the skateboard, so the parents would come into the Utility Office to establish they are Walsenburg youth, because that is how they are set up.

Charles Bryant explained to Council how the skateboards would benefit the youth in our community. Council member Jerant asked if they were going to give the skateboards to seniors in high school. Council member Lind stated the age range would be from 7-18 years of age. Council member Moore asked if the drawing for the skateboards would take place in October and with such short notice, how the event would be promoted. Mr. Bryant stated the drawing would take place at the grand opening of the skate park and the newspapers have been very helpful with the promotion of the event.

Council member Jerant moved to approve the application with the proper receipts for the purchase of the skateboards, seconded by Council member Vigil. Passed on a roll call vote of 9-0.

Citizens Forum-Priscilla Fraser, Executive Director from South Central Council of Governments (SCCOG) requested to address the Council, to answer questions about Transportation Enhancement Grants that are available and are outstanding for the City of Walsenburg. She also addressed what the process entails.

Priscilla Fraser stated the Transportation Enhancement Grants are CDOT grants, and typically SCCOG board would rank all the applications received in a certain period. Recently the SCCOG Board had 5 grants that needed to be prioritized for Region 2, which is the Las Animas/Huerfano Counties. Two of those grants, a street project and the railroad depot HVAC system were submitted by the City of Walsenburg. The grants have yet to be awarded and are in competition with other grants throughout Region 2. The City of Walsenburg projects were ranked 1 and 2 by SCCOG. She stated at the Region 2 meetings SCCOG would promote the 2 projects for the City of Walsenburg and they would be prioritized by CDOT. Priscilla Fraser stated those grants will not be awarded until they go to the meeting with CDOT. The grants as far as SCCOG goes does not submit on the City's behalf or have control of the money. Once the SCCOG board ranks the grants, they get their fair share of discussion from SCCOG at the meetings. She was asked about the grant for the roof at railroad depot. That grant was awarded 2-3 years ago, however it never got started. CDOT stated until the City moves forward with the current grants it was highly unlikely a new grants would be awarded. The grant award for the aquatic center had not been completed with the final paperwork. Priscilla Fraser contacted Acting Administrator Beth Neece and Wendy Petit at CDOT to find out what they needed. She learned they needed a close-out document, and she and Acting Administrator Beth Neece emailed the documents to CDOT. Priscilla Fraser stated it seemed to her they had the documents they needed less the letter of completion. She stated this put the City of Walsenburg back on track. There is a further complication with the enhancement grant, it is her understanding that there are four grants; the city will have to prioritize as to which one they would like to go forward with, since the ballot issue they have and the money the city will be able to come up with to match the grants.

Mayor Quintana asked about the sign off document. Priscilla Fraser stated the documents had been forwarded to CDOT, but with a lot of turn over at the State Level and at the City level, some things were not found. She stated that Acting Administrator Beth Neece had sent an email including the required documents today, with a note requesting a response if more information was required to close out the grant. Priscilla Fraser tried to contact Mrs. Petit this afternoon but did not connect.

Council member Lind asked Priscilla Fraser what would have to transpire at this point to make the railroad depot roof project go forward. Mrs. Fraser stated CDOT needs to close the grant for the Aquatic Center and then CDOT would then contact the City of Walsenburg and arrange to proceed with the railroad roof project grant award.

Mayor Quintana asked Priscilla Fraser what the time frame to utilize the money for the railroad roof project grant. Mrs. Fraser stated the City would be on the fast track, they are just waiting for the okay from CDOT to make sure the Aquatic Center grant was closed.

Council member Moore thanked Priscilla Fraser for all her hard work and time she spent helping the City of Walsenburg with the grant process.

Priscilla Fraser stated it was very clear as to what was done on the Aquatic project

with all the documentation that was provided to her by Acting Administrator Beth Neece. If she would have known that at the SCCOG meeting she would have told them all that missing was a letter to close the grant out.

Mr. Rinehart from the Signature asked Priscilla Fraser how long CDOT had been threatening to pull the City's grants due to lack of Administration's progress. Priscilla Fraser stated CDOT had not threatened the City - they were simply saying the grant award had been on the books for 2 years, the City is requesting for 2 more grants, and the CDOT response is that until the money previously granted is used, they could not give the City more. She stated the City needs to use the money already granted.

Priscilla Fraser stated while at the last meeting during Mr. Salings presentation the CDOT representative made it clear they would be hard pressed to grant more money without having the close out documentation on the Aquatic grant award.

Mayor Quintana asked Priscilla Fraser why the City is requesting more grants if the previous grants are not completed. Priscilla Fraser stated that the process works that way, the City would need to apply for the grants in previous year to be awarded in the next year. She stated when CDOT had requested documents; no one knew it was just a letter until they went through all the paperwork. Mayor Quintana asked if there is a simple way to check what is needed on the grant process. Priscilla Fraser stated typically the project manager should receive invoices and track the process. Mayor Pro Tem Lessar stated it would be the City's responsibility to keep track of the process. Priscilla Fraser agreed. Mayor Quintana suggested that the City put the projects on a board until the projects are completed. Council member Moore made comment as to how many people had been in and out of the process of this grant. He stated it would be easy for the grant to fall through the cracks and something to get missed. Mayor Quintana simply stated that in the future the City should put the grant projects on a board to track them, in case there is a turn over in the city, the next person would be able to pick up the grant and continue the process.

Priscilla Fraser mentioned other grants had been awarded to the City February 2011, stating they could be losing if not acted upon, for a total amount of \$700,000.00. Priscilla Fraser stated it is very important to keep the history and what happens in the grant process and assign it to a person and have that person report to the Council until grant is completed. She stated if the City did receive any grant awards it would not be until this railroad depot roof project was completed.

Mayor Quintana recommended the Council have a committee meeting to spearhead who would be responsible for the process and tracking of the grants as soon as they received the contract information from Mrs. Petit, so the grant process could stay on track. Priscilla Fraser stated COG would help the City of Walsenburg with their grants if requested.

Mayor Pro Tem Lessar asked Acting Administrator Beth Neece how many times CDOT tried to get this information. She stated she would have to go back and check.

Bill Reiners stated he wished to talk to Council about the trees on Main Street. There are a number of Business owners that feel some of the trees are a hindrance to the business. The situation is people drive by and can't see the business owner's signs and is a problem for the retail business. He knows that all the business owners do not feel the same. They are not asking the City to cut them down they will do it themselves, but for their cooperation. He stated they know there is a permit process to follow. This is not an easy issue to discuss and would like to open dialogue with the City Council on the matter. They would hope in the end the business owners that would like to cut down their trees would be allowed. Mayor Quintana stated the trees provide shade and a respite from the summer heat, and with the lack of trees citizens would be without the shade.

Mayor Pro Tem Lessar stated since there are still questions as to whom the trees belong and since the City has to research it, he would like to schedule this discussion to a workshop meeting, when they have more information. Bill Reiners agreed, and discussed the logistics of who owns the trees, and mentioned the Downtown Revitalization committee as having put the project of the trees on Main Street in effect.

Council member Vigil explained to Bill Reiners the Main Street is a State Highway so there is also a concern as to what would be allowed.

City Attorney Dan Hyatt stated they needed to straighten it out and they would work as fast as they can to get this issue resolved. He felt it very important to let the public know that if the trees do not belong to you there are rules to follow, and they should not be cutting them down, until it can be worked out.

Bill Reiners asked what kind of timeline they are looking at to find out who owns the trees. Mayor Quintana stated within 2 weeks they should know. Bill Reiners stated the Downtown Revitalization Committee should be aware of the workshop also. Council member Mockmore stated he would contact Attorney Garrett Sheldon who is the Attorney for the committee and also a member, they would get together with the committee to coordinate the workshop. Council member Mockmore stated that two of the trees were already cut down and are a hazard for citizens walking on the sidewalks, and he has asked the Police Chief to tape off the area in which the stumps are to prevent falls.

Administrator's Report-Acting Administrator Beth Neece stated Gas Superintendant Arthur Ortiz and his crew put a heater in at the water park in the pump room and the bathroom, with a cost of around \$800.00-\$900.00. They will be putting insulation in the room within the next week, to prevent freezing this winter.

Acting Administrator Beth Neece talked to Mark Clave from Tetra Tech about the Sewer Plant and what needed to be done to get the final from the State Plumbing inspector. Mr. Clave should be here by the end of next week to meet with the State Plumbing Inspector and the Plumbing Contractor to see what is left to sign off on the plumbing. The City had received the electrical inspection. There is still an issue with the

influent basin that is not being used having a little bit of back fill, he has asked Moltz's for a price on how the City can shut them off, right now they are using the west basins, they will do both the east and the west basins.

Acting Administrator Beth Neece stated they anticipate the preliminary environmental report on the Northlands GID by next week. The environmental report was done last week, the community assessment people are to be doing their part this week.

Council member Moore asked when the last time she had contact with Lee Merkel or Lenice Serracino about the status of the funding. Acting Administrator Beth Neece stated she received an email from Lee Merkel, she stated the issue would be if they could get the PER. She stated they needed to work on the community assessment first and then they would work on the easement.

Council member Jerant asked Acting Administrator Beth Neece if she had received a report from the Colorado Department of Health on the pool. Acting Administrator Beth Neece stated she had called them repeatedly, and received an answer of the tests being negative, she wanted them in writing. Because Alicia Conquest from the state did not request the test, and it came from Misty Zanolli in the local office, she would have to request the tests. Acting Administrator Beth Neece will email Vince Hill at the CDC in Atlanta, to request the results.

Mayor Quintana stated they need to understand that the pool services a region, and without a result it will hurt further revenues for the pool.

Council member Jerant stated it needs to be published so the region knows that the pool is safe.

Acting Administrator Beth Neece stated Alicia Conquest from the State Health Department stated it often takes 4-6 months to get results. She will work on getting the results.

Council member Jerant asked if Acting Administrator Beth Neece was working on the winter grazing. She stated it is sparse on the north side; it is Ranch Manager Butch Corsentino's recommendation that we not graze the north side this year and only limited grazing on the south side. Council member Sporcich asked if some gravel business would want to pull gravel rock from there. Acting Administrator Beth Neece stated they could put the gravel out to bid. Mayor Quintana stated the County is very interested in it. Acting Administrator Beth Neece stated there is the Wind Farm. She stated there is less than 10 acres of gravel; they do not have a crusher. The street crews will be using some of the roto mill that they picked up to cover Indiana Street at the end of this week. There is something else about the gravel and the wind that will tie into the easement so they need to talk about that in the negotiations.

Council member Sporcich has concern about the debris left behind the skate park

by the river. Acting Administrator Beth Neece stated there are two piles, one from the asphalt that came from the skate park and the other is concrete from the Seven Eleven Store. David Harriman is trying to get a hold of the manager from Seven Eleven; she had left a message for her this morning, to find out who the concrete belongs to. Nobody knows who the lot belongs to.

Council member Vigil asked how they are doing trying to find a mechanic. Acting Administrator Beth Neece stated she has a gentleman that brought in a resume, but not an application as of yet. She stated they have a several pieces of hydraulic and diesel equipment down. Council member Vigil asked if the Volvo was down. Acting Administrator Beth Neece stated it had a differential issue. She called Scott Hawkenson that does mobile repair and charges \$68.00 an hour, to see if he could give her a price on some of the equipment that needed to be fixed. Maybe they could prioritize some of the items most in the need. The mechanic she is looking at doesn't have a CDL but can get one. Mayor Quintana stated he had spoke with the previous mechanic George Glumac, and stated there was an inventory of tools left with Eric Pearson.

Council member Jerant asked if the City was still making payments on one of the heavy equipment items. Acting Administrator Beth Neece stated it was the Volvo. Council member Jerant asked if it was under a lease purchase, why they would not repair it. Acting Administrator Beth Neece stated only if it is under warranty and she would check to see if it was.

Council member Sporcich asked about the tree at Diagre. Acting Administrator Beth Neece stated that is one of the things the water department is working on in conjunction with the breaks in the water line; they are still having issues with too much pressure, which causes the waterline to break. There will be a coordinated effort with State Dam Engineer Mark Perry, who would like to be on site when they take out the tree stump. Acting Administrator Beth Neece stated the project had not been started yet.

Council member Vigil asked how they were doing on Police cars. Acting Administrator Beth Neece stated that one of the Police Officers was a certified mechanic; and he is doing some work on the vehicles, but they are still struggling with the cars. She had put in calls to Cherry Hills Village to see if they have any vehicles leftover. Chief Chamberlain will try to make some contacts at a Chief's meeting he will be attending. She stated they would like to replace some of the old cars instead of repairing them over and over again.

Mayor Quintana stated it is critical that they fix the heavy equipment, before winter comes. Acting Administrator Beth Neece went through the list of heavy equipment that needed repaired and agreed.

Police Report-Chief Chamberlain stated he was glad to be back. He had a public information items, there are instances of fraud being perpetrated in town that did not originate in town. One is called an affinity fraud, this is a type of crime where they get information on an individual and then try to get the individual to wire them some money.

It has happened twice in town, please be on guard for these types of phone calls.

Wild animals are also a problem in town, please use caution, they are contacting the Division of Wildlife to control the problem and relocate the animals. Chief Chamberlain mentioned ways to avoid contact and how to deal with bears and wild animals once confronted and had a website to go to.

Chief Chamberlain talked about Animal Control and what type of dogs they had at the shelter.

Chief Chamberlain stated last Thursday they went to the Head start Program to meet with the children, he and Officer Isnetto had a positive response.

Chief Chamberlain stated this Friday at noon is the Homecoming Parade, everybody go out and support the Panthers.

Unfinished Business

None

New Business

City Audit-Finance Director Dave Johnston stated Council has a draft copy of the City Audit and management letter. The reason the audit is marked draft is they still have some areas to finish up and should be done by Friday. The dollar amounts should reflect correct amounts they don't expect any changes, they need to add the narrative and should wrap up the audit by Friday, but at the latest by next week. He stated Randy Watkins is here to present the audit to Council.

Randy Watkins thanked Finance Director Dave Johnston for all his help with information they provided. He knew they are late again this year trying to reconstruct some of the information that needs to be provided. He would have Council notice the name change, they merged with another firm.

Randy Watkins went over the draft audit with Council and the financial statements. They concluded the City's policies are appropriate. He went over the funds accounts with Council, as soon as they get comfortable with historic numbers they will be good to go forward with that.

Randy Watkins went over the required communications with Council and the discussion points. He stated they still had some concern over the capital assets; eventually they will have to issue a statement in reference to them.

The management letter identified the recommendations that have appeared in previous year audit, and updated the comments, and added some new comments, this goes back to the capital assets, they are hopeful that next year they will be able to make an opinion based on the documents. They are recommending that the City adopt a formal closing check list. This is a great tool to follow accounts monthly, quarterly, and annually.

Council member Moore addressed the process with Mr. Watkins. Randy Watkins stated it is outlined within the closing process. He recommended an internal system of controls be adopted to monitor the accounts.

Treasury management, they had noticed there was a significant number of checking and savings accounts, they are recommending reducing the number of accounts they have.

They notice a difference in the employee handbook and how the leave time process is carried out; they recommend the City work with their attorney to uncomplicate this process.

Randy Watkins told council how they arrived at the balance amounts and where the adjustments were and how the funds performed during the year. It shows both current and past liabilities. He stated they corrected the general fund balances by \$2.2 million and the net assets of the water park. Mayor Quintana asked what kinds of improvements were made. Randy Watkins stated he saw significant improvements, in the quality of the Finance staff and the information they have provided to them. They can not issue the final draft of the audit to the Council until the Council approves the draft per State statute. Council member Moore moved to approve draft audit as presented by ACM with the minor modification, seconded by Council member Vigil. Passed on a roll call vote of 9-0.

Purchase of Gas Odor Eyes-Mayor Pro Tem Lessar stated with the extensive conversation they have had on the subject he recommends that the Council approve the purchase of the equipment in the amount not to exceed \$38,000.00 and the \$390.00 for the remote system, seconded by Council member Vigil. Passed on a roll call vote of 9-0.

Kay's Renewal Liquor License-Mayor Pro Tem Lessar read liquor license renewal and moved to approve, seconded by Council member Moore. Passed on a roll call vote of 8-0. Council member Jerant recues herself from the vote, since she owns the business.

Ordinance No. 1005-Burn Permit- tabled for further discuss by Council.

CML Policy Committee Member-Mayor Pro Tem Lessar stated this should be put off until after the first of the year. Council member Lind stated there is a meeting October 6th, 2011. Council agreed to leave the position as is, with Council member Lind as the representative for the City of Walsenburg.

MAYOR'S CLOSING COMMENTS

Mayor Quintana had no comment.

CITY COUNCIL CLOSING COMMENTS

No Comments.

Adjournment

City Council meeting adjourned at 9:15 p.m.

CITY OF WALSENBURG

ATTEST:

Bruce Quintana,
Mayor

Wanda A. Britt,
City Clerk

The preceding minutes were prepared according to §47 of Robert's Rules of Order, i.e. they contain a record of what was *done* at the meeting, not what was *said* by the members. Tape recordings of the meeting are available for 6 months thereafter only for listening in the City Clerk's Office as well as copies of Ordinances and Resolutions.