

STATE OF COLORADO  
COUNTY OF HUERFANO  
CITY OF WALSENBURG  
Regular Session Meeting  
March 2, 2010 6:00 p.m.

Mayor Quintana called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited. Council members present were: Rick Jennings, Silvana Lind, James England, Nick Vigil, Erin Jerant, Craig Lessar, and James Moore. David Mockmore was absent. Others in attendance were City Administrator Alan Hein, Assistant Administrator Beth Neece, City Attorney Dan Hyatt, and City Clerk Lori Sheldon.

**APPROVAL OF MINUTES**

Mayor Quintana asked for a motion to accept the minutes from the February 16th Regular City Council meeting. James England moved, seconded by James Moore, that the minutes from the February 16th Regular City Council meeting be accepted. Motion passed on a Roll Call vote of 8-0.

**Committee Reports**

**Finance Committee** Chairman James England reported that the Finance Committee met on Monday, March 1st at 5:30 p.m. Those in attendance were himself, Mayor Quintana, Councilpersons Rick Jennings, Silvana Lind, Nick Vigil, Erin Jerant, Craig Lessar, Jim Moore, and Wendy Mockmore as note taker for David Mockmore. Also in attendance were City Administrator Alan Hein, Assistant Administrator Beth Neece, Larry Patrick representing the new Huerfano World Journal, Renee Rinehart of the Signature. Agenda items were as follows:

- ◆ Replacement of windows on Dorothy Walecheck's building on (5<sup>th</sup>) Street:
  - These windows were damaged during one of our public works projects. After discussion it was decided to let the City Administrator handle this as it falls within his discretionary spending limit.
- ◆ Sale of the Kincaid Ranch:
  - We currently have the Kincaid property under contract from an interested party. As soon as the appraisal comes back this issue will come to full council for a vote. It looks very promising and will be a much-needed windfall for the city.
- ◆ Amount billed to the GID and the status of the mil levy.
  - The City Administrator explained that all paperwork has been filed and on time with the county on the Northland's project and as soon as the loan is approved we will have the required debt needed to bill the GID and assess the mil levy. Staff will keep Council updated on the progress.
- ◆ Abandoned water and sewer taps.
  - It is the consensus of the committee that we should not adjust the water and sewer tap fees due to the lack of interest last year when we tried this. Also, it might jeopardize funding opportunities that we have in line for the City.
- ◆ Councilman Vigil and staff will keep the committee informed about the planned use of the buildings at Lathrop

**Parks and Recreation Committee** Chairman Erin Jerant reported that the P&R committee met directly following the Finance Committee meeting and all the same people were in attendance. Items of discussion included:

- ◆ It was decided to re-advertise for the positions at the pool and hope for the best.
- ◆ A short discussion was held regarding the skate park but no one involved in the skate park was in attendance so they would like it, if anyone knows someone involved in that project, to have them attend a meeting.

**Safety Committee** Chairman Craig Lessar had no report.

**Public Resources Committee** Mayor Quintana stated that there is no update at this time.

### **CITIZEN FORUM**

Dorothy Walecheck made a statement regarding the damage to the windows on her building. Hot metal fragments from the railing being installed on the stairs were thrown into the windows from the saw and melted into the glass. She submitted the requested 3 estimates to Beth Neece who submitted them to the insurance company. The claim was denied. Ms. Walecheck provided copies of two of the estimates along with a letter of request for payment. She stated that Ms. Neece has the third estimate. Mayor pro-tem England asked Mr. Hein if he had anything to add. Mr. Hein replied that he would go talk to Ms. Walecheck first chance he gets. Mayor Quintana stated that it is the Council's wish to act diligently on this and resolve this issue.

### **REPORTS**

**Administrator** Alan Hein reported on the following:

- ◆ **Martin Lake Valve Replacement:** Mr. Hein met today with the engineers and the State. They've run into a couple of problems with the project. There is ground water seeping up through the bedrock. They're addressing what they're going to do about that as far as the casing of the pipe and their structures. Councilman Moore asked if it presents any problems with the construction. Mr. Hein replied that it does with the backfill. They're looking for some other means of backfilling the area. Mr. Moore asked if it may impact the cost of the project. Mr. Hein replied that it may. Another area of concern is that the cofferdam was built in the wrong place. It will have to be moved out several feet. That was the responsibility of the engineering firm. They had staked out the area of the cofferdam. It won't prevent the project from moving forward but it will have to be moved out in the next couple of weeks to complete the project. We are in discussion about cost amounts. There will be meetings on who is responsible for this. Mayor pro tem England asked how far back this will put us as far as getting the lake level back up. Mr. Hein replied that there is no time for re-engineering, etc. so a consensus will be reached among the City, the engineers, and the State some time in the next few days and the project will move forward. The goal is still to get it done within the time originally planned.
- ◆ **Wastewater Treatment Plant:** We have all of our numbers in from working

with the contractor on restructuring the construction of the project and alleviating part of the design of the project. Most of the savings comes from the City doing part of the work ourselves. It has been concluded that \$900,000.00 could feasibly be saved in this effort. Mr. Hein met with the State regulatory agency and there is not a problem with what we're proposing to do. We are currently waiting for something in writing from the State saying that this is OK. We're still working with the USDA on re-financing the bond. In the near future the rest of the funding will have to be acquired and a decision made on what to do with this project. Mayor pro tem England asked about a dollar amount. Mr. Hein replied that we'll have to come up with about \$600,000.00.

- ◆ **USDA:** is trying to put together a special package for the City for refinancing the current bond and adding a loan to it. The philosophy behind it is to finish the wastewater treatment plant and then get the Northlands project underway and get it built. They're very willing to help us in that endeavor. Mr. Hein has been doing a lot of research on the PER regarding USDA requirements. He has asked the engineering firm to review the deficiencies that were turned in. The major deficiency is the environmental study which does not meet the criteria of the USDA. It did meet the criteria of the CDBG. Staff is currently looking at different ways of funding this. Beth talked with a representative of DOLA regarding funding to address the PER.
- ◆ **Grocery Store update:** There was a meeting last week with the Office of Economic Development people. They're very positive about funding the infrastructure portion of this project. This would be a loan (not a grant) to the City of Walsenburg, not the developer. The developer, through some method of sales tax, would repay the loan to the City over a period of several years. When we get closer to that it will be brought to the Council for review. Councilperson Jerant asked about the amount of the loan. Mr. Hein replied that \$500,000.00 is the maximum. The grocery store will have to maintain a certain number of employees to qualify for this. Ms. Jerant asked whether using the sales tax to pay back the loan means that we won't have that portion of the tax to put into the infrastructure for the City. Mr. Hein replied that there we're investigating a possibility that a special sales tax only on sales at that store would go toward paying back the loan. Ms. Jerant asked what (the loan) is for. Mayor Quintana replied that it's to re-structure the road to include a turn lane and curbs and gutters "from the ridge to the bridge". Mayor pro tem England asked about whether any of it could be funded through the paving fund. Mr. Hein replied that we would look into that.
- ◆ **State Legislature:** It is staff's understanding that the term "lease" is on a legislative bill that will go before the Legislature in the next month for their approval. He does not know the bill number.
- ◆ **Restructure of Police Department:** The highlights:
  - cost effectiveness of the K-9 program;
  - a detailed study will be conducted to evaluate the efficiency of a 12 hour shift;
  - the shift differential pay will be re-evaluated;
  - all overtime will be compensated with comp time as of February 28<sup>th</sup>;

- a positive intergovernmental relationship will be established and maintained;
- time accountability in detail will be reported to Mr. Hein daily from the police chief and the police department;
- all officers will be scheduled to patrol the city during their shifts;
- all officers will be certified in Taser and other areas applicable to the police department and official documentation of certifications (will be maintained);
- the current dress code will be reviewed and updated;
- there will be a reduction of 2 police department staff on the 16<sup>th</sup> of March;
- the Police Department will start immediately resolving some of the issues as far as public perception;

Councilperson Lind asked if the certification program includes physical ability or agility that had been discussed. Mr. Hein replied that it would include whatever is required by the State and we need to incorporate a program for physical fitness.

**Chief of Police** Larry Baldonado reported that he believes that his department does have positive relationships with other agencies. He cited several examples of recent occasions when they had assisted other agencies. Councilperson Jerant stated that she has been told by the State Patrol and the Sheriff's department in an open meeting that there is no working relationship. Chief Baldonado replied that he can provide documentation but that they will also continue to work on this issue.

The CIRSA auditor was here last week and, based on what he said, the Chief believes that our scores are much higher than last year. This is based on better documentation of training, better policies, and the Safety Committee making sure that all of the training videos are viewed by the employees.

This year, as has been done many times throughout the year(s), an application has been submitted for overtime for training for the officers. This is for DUI enforcement for Memorial Day, St. Patrick's Day, (etc.). The officers will be paid overtime. The City gets reimbursed by the State through a grant program.

They made another arrest on the burglary at the library. That makes a total of 3 persons who have been arrested.

### **Unfinished Business**

James England introduced

#### **ORDINANCE NUMBER 992**

#### **AN ORDINANCE CLARIFYING AND RATIFYING CITY COUNCIL'S ACTION ON MAY 5, 2009 WITH RESPECT TO CITY COUNCIL REMUNERATION**

**WHEREAS**, the Walsenburg City Council approved an increase in the Mayor's remuneration and the remuneration for City Council members on May 5, 2009 prior to the November 2009 municipal election to become effective January 1, 2010; and

**WHEREAS**, one City Council cannot bind a future City Council on certain financial matters; and

**WHEREAS**, it is necessary to ratify the action of the City Council on May 5, 2009 as a matter of form; and

**WHEREAS**, it is also necessary to clarify part of the City Council's action regarding pay for committee meetings and such clarification does not increase the remuneration to the Mayor or Council members above that approved prior to the election.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG AS FOLLOWS.**

1. The pay increase approved on May 5, 2009 for City Council members in the following amounts is hereby ratified: Mayor, four-hundred dollars (\$400.00) per month; Mayor pro-tem, three-hundred-fifty dollars (\$350.00) per month; City Council Members, three-hundred dollars (\$300.00) per month.
2. Each member of the City Council including the Mayor and Mayor pro-tem duly appointed to an official City committee and who is therefore obligated by virtue of the appointment to attend shall receive an additional twenty-five dollars (\$25.00) per month for each of those committee meetings actually attended up to a maximum of eight committee meetings per month or a maximum of two-hundred dollars (\$200.00) per month.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 2<sup>nd</sup> DAY OF MARCH, 2010.

PASSED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED BY TITLE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF WALSENBURG**

**ATTEST:**

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Bruce Quintana, Mayor

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Loretta Sheldon, City Clerk

James England then moved, seconded by James Moore, that Ordinance 992 be adopted and published in the paper of record. Mr. Hyatt pointed out that the word "not" had been omitted from paragraph 4 and that it should be re-inserted so the phrase reads "such clarification does not increase the remuneration". Mr. England amended his motion to include the correction. Motion passed on a roll call vote of 7-1 with the "nay" vote being from Nick Vigil.

**New Business**

None

**Adjournment**

With no further items on the agenda, the City Council meeting adjourned at 6:40 p.m.

CITY OF WALSENBURG

ATTEST:

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Bruce A. Quintana,  
Mayor

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Lori Sheldon  
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.