

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
May 4, 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, David Mockmore, Erin Jerant, and James Moore. Craig Lessar was absent. Others in attendance were City Administrator Alan Hein, Assistant Administrator Beth Neece, City Attorney Dan Hyatt, and City Clerk Lori Sheldon.

Mayor's Comments

Mayor Quintana encouraged everyone to participate and cooperate with the Census workers who are out trying to collect information.

Approval of Minutes

James Moore moved, seconded by Nick Vigil, that the minutes from the April 20th Regular City Council meeting be approved. Motion passed on a roll call vote of 8-0.

James England moved, seconded by Silvana Lind, that the minutes from the March 29th Special City Council meeting be approved. Motion passed on a roll call vote of 8-0.

James Moore asked that the minutes from the April 26th Special City Council meeting be amended to say that he had asked that, for the record, we make note that the Council had requested information pertinent to an operating decision and that that information was not provided by the Administration. James England moved, seconded by David Mockmore, that the minutes from the April 26th Special City Council meeting be accepted as amended. 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, May 3rd at 5:30 p.m. Those in attendance were himself, Mayor Quintana, Councilpersons Silvana Lind, Nick Vigil, David Mockmore, Erin Jerant, and Jim Moore. Also in attendance were City Finance Director Krystal Vigil, City Treasurer Jacque Sikes, Nancy Lave from the Chamber of Commerce, Larry Patrick from the Huerfano World Journal, Renee Rinehart of the Signature, and a number of citizens from the Citizens for a Better Walsenburg. Agenda items were as follows:

- ◆ Consideration for optional payments on utility bills to defray the cost of a leaf and limb pickup – this will be strictly optional to the customers in Walsenburg and would average around \$3.33 per month for 2 leaf, limb and bag trash pick-ups per year. This is on the agenda for later in the meeting.
- ◆ Open meter deposits versus cash accounts refunds. This is an area that the finance director and staff are still working on. The balance in the fund is currently \$236,097.55. Questions were asked by committee members and those in attendance. Staff was directed to provide a copy of the 2007 audit report for this account.
- ◆ Documentation was presented on the City's vehicles that are currently being

financed. The committee asked staff to prepare a detailed list of all loans that the city currently has obligations for and that will be presented at the next Finance Committee meeting.

- ◆ Franchise fees were discussed and staff was asked to look into other entities that may owe the City franchise fees including the railroad. The contract with Qwest will also be reviewed and that will be discussed at the next meeting.
- ◆ The comp time analysis shows an initial savings of \$12,450.93 to the City on paper. This will vary and fluctuate some based on the time used and the time that will have to be paid out due to the State Statute. Staff will keep us updated as this progresses.
- ◆ Potential budget cuts were also discussed starting with cell phones which the City currently pays almost \$950.00/month to use. Staff was directed to further reduce these costs by limiting one phone per truck or coming up with alternative communication methods for our in-field employees to utilize.

The next meeting will be May (17th) at 5:30.

Parks and Recreation Committee It was announced that Erin Jerant submitted her letter of resignation from the Chairmanship of the Parks and Recreation committee and that David Mockmore is the new chairman. Mr. Mockmore reported that all the same people stayed after the Finance meeting. Agenda items included:

- ◆ The main topic of discussion was Walsenburg Wild Waters. It was quite lengthy discussion covering everything from staffing to the opening date.
- ◆ A report was given to the committee regarding the state park and other park and recreation items including, from the Administrator, that the City's parks are up and running and ready for everybody's use.
- ◆ The aquatic park is ready for the company from Colorado Springs to do their annual maintenance on the pumps and get everything up and running and ready for the opening which will be May 28th. This date will be reserved for a large group from out-of town. The official opening for the citizens will be May 29th. A meeting was held this morning with himself and the Administration regarding all the steps that need to be done and what we did last year versus what we're going to do this year. Reports will be given at every Finance Committee meeting on whether the park is making money or losing money. They discussed advertising, vendors, and staffing and he thinks we're ready to go. They will be meeting once or twice a week until the opening.

The next P&R meeting will be following the Finance meeting on May (17th).

Mayor Quintana asked whether he wanted to mention a potential donation. Mr. Mockmore said that it's pretty preliminary but that he met again with "them" today and they want to see our budget which will be faxed to them in the morning. They want to help us all they can. This is not a one-time shot. They want to help the community any way they can and also the County. They are looking at other projects also – the Black Diamond Jubilee to the Library. Nothing big like the wastewater project but they want to be a part of the community and would like to help keep the pool open so the kids can

have fun this Summer. James Moore asked about the contract outstanding for a substantial part of the advertising budget. Mr. Mockmore replied that that particular contract was not discussed but that they did discuss advertising. There is some income from Council of Governments for Enterprise Zone money so hopefully that will help also.

Safety Committee Chairman Craig Lessar had no report.

Public Resources Committee There is no update at this time.

CITIZEN FORUM

No one signed in for the Citizen Forum.

REPORTS

Administrator Alan Hein reported on the following:

- ◆ **Martin Lake Valve Replacement:** It is about 90% complete. The backfill is coming along very well again. They're about 3-4 feet shy of getting it up to grade on the berm which would be on the lake side of the dam. They will be concentrating on getting the riprap in place and cleaning the project up for the rest of the week. They have a meeting with the State on Friday to do the final inspection on it. If everything works properly we'll get a temporary sign off on the project and we can start releasing water to fill the lake. The contractor is very confident that they'll be able to pass the final inspection.
- ◆ **Wastewater Treatment Plant:** He has the information back from the Contractor as far as the reduction in price on the bid. It came in very close to the numbers he had originally put together. It was within a few thousand dollars of what he had originally anticipated. He is currently negotiating with the engineer on the dirt portion of it which was ¼ of a million dollars for the services rendered on the inspection part of it. They have yet to come up with a reasonable offer. There is a deadline of May 14th for gathering the information that we need to bring before the Council for the award of the contract which he'd like to do at the next Council meeting. The only holdup is waiting for the engineer to come back with their new proposal.
- ◆ **Grocery Store Update:** It is Mr. Hein's understanding that they're in the process of letting the dirt work out for bids. He's been in contact with the utility people to move the utilities (phone and cable). We've removed a lot of the trees. The contract has been signed by both parties. It's going as well as can be expected at this time.
- ◆ **Walsenburg Care Center:** Mr. Hein has re-sent a letter to Mr. Brandstatter and he visited with Mr. Brandstatter this week regarding the status of the letter. It has gone to the regional supervisor and he was very impressed with it. He is reviewing it at this time and they're going to decide whether to take it to the State board for approval or whether they can circumvent the board and take it straight to the State director for approval of this land separation. Mr. Hein talked with Bob Brozowski today from the Walsenburg Care Center. He has done everything short of going to the health department in Denver to find out the asbestos content of that facility. He is planning on doing that. So far he has come up with nothing as far as a history on the asbestos. They're

still very much interested in the land swap. Hopefully we can get it expedited through the State. Mr. Hein's report concluded after some discussion regarding the equity of the exchange and the concern about job loss if the new facility is not built in Walsenburg. It was decided to add an item about getting appraisals done on the two properties to the next Finance agenda.

Chief of Police Chief Chamberlain reported that

- ◆ The report from CBI regarding the officer-involved shooting is still being worked. The CBI agent assured him that we would have the report a week from Friday. They got off to a bit of a rocky start during the bomb threat at the high school last week but then everything smoothed out. Students were evacuated, buildings were searched and cleared, culminating in a lot of good contacts. Colorado Springs have K-9 explosive detection dogs at the airport. He's not sure how they got wind of the incident but their supervisor was called by dispatch to see if they had dogs they could send down, which they did. They are funded by TSB. They are supposed to do 80% of their jobs at the airport and 20% in other places. This was part of the 20% so it didn't cost us anything. Having the dogs come down significantly decreased the time it took to clear the schools properly so there was no doubt that there were no explosives anywhere in the building. Chief stated that he would not have been comfortable releasing the buildings without opening every door and searching every room. Two suspects were taken into custody. They are juveniles and they will be charged with felonies. The investigation part is closed but the prosecution is still in the works. Chief is going to write letters of thanks to the Colorado Springs Police Department and the Airport for their assistance. In response to a question about whether this was an act of terrorism, Chief replied that he had to send copies of some of the reports to the Colorado Information Analysis Center and they forward those to the Department of Homeland Security. He was also asked whether he and Sheriff Newman are making a plan to deal with these types of situations. He replied that several things came to light. A lot of information was not passed on. Many of the teachers did not know what was going on. They used the fire alarm to clear the building so, thinking it was a fire alarm, several of them locked their classrooms (not the right thing to do in a bomb situation as the rooms would have to be searched). The Colorado Springs people had some good suggestions. One of the things that came up later on was whether they should have evacuated the homes on the other side of the street. Some of the good things that happened were that the fire department was able to block off both ends of Pine Street. The Sheriff's office assisted in the search inside the buildings. Also, the Sheriff's office was able to pick up both of the identified suspects before they got very far from the school – within 10-15 minutes of the initial call. Councilperson Jerant said that the school board is also changing policy. Mayor Quintana gave kudos to Chief Chamberlain saying that the County gave him very high marks. They were very appreciative of his professionalism and the way the officers conducted themselves. Councilperson Lind asked whether there is a plan in place for the City and County buildings in case of a similar situation. Chief replied he

has seen some plans that had initially been started but he hasn't had a chance to see how far they had gotten but he will check it and report back to Council. Ms. Lind also asked if the City dog had participated. Chief replied that he had. He got a scent from one of the suspects shoes and was able to track them to where they were picked up. Mayor pro tem England asked if there is a plan to protect our water supply. Chief replied that it is a very high priority. Touching on a few things that were brought up at the last meeting – he has asked the officers to spotlight the dark areas around town when they're out patrolling at night. The hours for curfew are 10:00 p.m. to 5:00 a.m. Sunday through Thursday and 11:00 p.m. to 5:00 a.m. on Fridays and Saturdays. There was some discussion about whether the siren should be used for curfew. There has been a request from the La Veta Marshall's office for K-9 support at the school in the future. Barring any objections he doesn't see why we couldn't support them. Officer Andrea Hoegg will be attending a Child Abuse and Death Investigation class (which was paid for by another agency). On Saturday May 8th a benefit flag football game will be held to benefit the Sheltered Workshop athletes who are going to participate in the Colorado State games. It will be held at John Mall High school at 1:00. Participating agencies are the Huerfano County Sheriff's office (who are coordinating the event), Walsenburg Police Department, Colorado State Patrol, possibly the Department of Corrections and the Pueblo Youth Corrections for the law enforcement side. The other side will be coaches, teachers and administration from the school district. Chief is going to be attending a Media Relations for Law Enforcement class next week.

Unfinished Business

Selection of a date for a town hall meeting: Based on input from councilpersons and citizens, the date for the meeting was set for Wednesday, May 26th at 6:00.

New Business

James England moved, seconded by James Moore, that the 3.2 beer license renewal application for Bold Petroleum, Inc./Rambler 66 be approved. Motion passed on a roll call vote of 8-0.

Erin Jerant moved, seconded by Nick Vigil, that the 3.2 beer license renewal application for Western Convenience be approved. Motion passed on a roll call vote of 8-0.

James England moved, seconded by Erin Jerant, that Rick Jennings be appointed as the Council Liaison for the Planning and Zoning Board. Councilman Jennings accepted the nomination. Motion passed on a roll call vote of 7-0 with Mr. Jennings recusing himself.

James England moved, seconded by James Moore, that Silvana Lind be appointed as the Council Liaison to the Huerfano County Economic Development group. Councilperson Lind accepted the nomination. Motion passed on a roll call vote of 7-0 with Ms. Lind recusing herself.

After a short discussion regarding the possibility of adding a monthly charge to the utility bills to cover a semi-annual leaf and limb pickup, Erin Jerant moved, seconded by James Moore, that this item be further explored by administration to work out the implementation details before any action is taken by Council.

James England moved, seconded by Rick Jennings, that Council go into Executive Session for discussion of a personnel matter under CRS Section 24-6-402(4)(f), and not involving: any specific employees who have requested discussion of the matter in open session; any member of the City Council or any elected official; the appointment of any person to fill an office of the City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Motion passed on a roll call vote of 8-0.

At the conclusion of the Executive Session Mayor Quintana stated: The time is now 8:35, and the executive session has been concluded. The participants in the executive session were: Councilperson Rick Jennings, Councilperson Silvana Lind, Mayor pro tem James England, Councilperson Nick Vigil, Mayor Quintana, Councilperson David Mockmore, Councilperson Erin Jerant, Councilperson James Moore, Attorney Dan Hyatt, City Administrator Alan Hein, Assistant Administrator Beth Neece, and City Treasurer Jacque Sikes. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Adjournment

With no further items on the agenda, the City Council meeting adjourned at 8:37 p.m.

CITY OF WALSENBURG

ATTEST:

Bruce A. Quintana,
Mayor

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.