

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
May 5, 2009 7:00 p.m.

Mayor Pro-tem Quintana called the meeting to order at 7:00 p.m.: the Pledge of Allegiance was recited. Council members present were: Larry Patrick, Edie Flanagin, David Mockmore, Erin Jerant, and James England. Others present were City Administrator Alan Hein, Assistant Administrator Beth Neece, City Attorney Daniel Hyatt and Deputy City Clerk Lori Sheldon City Clerk/Treasurer John E. Zgut, Susan Blake, and Mayor Sheldon were absent.

APPROVAL OF MINUTES

The amended minutes of the April 21, 2009 meeting were accepted on a motion by Edie Flanagin, seconded by James England. Motion passed on a Roll Call Vote of 6 to 0

Committee Reports

Finance Committee met on May 4, 2009 with City Council persons Jerant, England and Flanagin present plus staff Hein and Neece. Food and travel reimbursement and the start date for insurance for employees will be handled by management and staff. Other items discussed were a pay raise for City Council. The next Finance Committee meeting will be May 18, 2009.

Parks and Recreation Committee staff hired for the park, their drug testing has been completed and the park is being readied for opening weekend. The next meeting will be May 12, 2009.

Safety Committee Chair Erin Jerant reported on her Committee meeting to have the Walsenburg Police Department monitor street lights broken and out all over town. Major issue was traffic flow during the rerouting and the repair of streets afterward. Ms. Jerant asked later to move next Safety meeting to June, unless Colorado Department of Transportation can meet with Safety Committee sooner. Jerant will advise if a safety Meeting will be held.

Public Resources Committee Chair Edie Flanagin reported they met on Tuesday, April 28, 2009 several City Council were present and were thanked by Chair Flanagan for attendance; update on Kincaid place; the Silva goat farm was discussed. Reasons why the land will not be sold: it is in the Comprehensive Plan as an industrial area; animals are not allowed in city limits and the area is slated to be annexed; and to pay for part of the expenses Mrs. Silva incurred in the appraisal of the land. Perhaps next meeting this item can be discussed. The next meeting will be the on the 12th and may be vacated unless other items come up as the Silva Goat farm is denied as that was the intended subject.

REPORTS

City Administrator Alan Hein gave his **Admin report**

- **North Gateway Project contract** for the preliminary with Able Consulting was signed last week; that project is underway;
- **All the ADA ramps have been completed** except 7th and Albert as Colorado Department of Transportation needs to approve the work on those ramp areas. City Council noted Colorado Department of Transportation was present at the meeting and perhaps the negotiation could be done now. Those present have nothing to do with that as Colorado Department of Transportation is compartmentalized and these men are not that section.
- **Annexation of the land** at the waste water treatment plant will proceed as the county has

agreed to the resolution scheduled later in tonight's meeting.

- **Kincaid house is done**; David Mockmore noted the contract was signed this afternoon. The **safety inspection is scheduled for 10 a.m. Wednesday.**
- **The infrastructure in Northlands** has USDA loan for that has been fruitful and South Central Council of Governments asked that TetraTech be contacted to begin and to follow the previous engineering design with funding for the engineering to be in that grant.
- **Railroad building roof grant** was turned in 15 min before deadline. Mayor Sheldon and Beth Neece worked on the grant, not Margaret Gleisberg.
- **CDOT and GOCO Grant for Walsenburg Wild Waters Park** the structures are being built by Public Works staff and will be ready to open on schedule. We hope to have a great year. The staff has been hired and the drug testing scheduled.
- **The Walsenburg Wild Waters Park computer system** has been tested and is ready the necessary data has been entered. The punch list that City Council has requested has been created and is being followed. The 30 pass card for park entrance was presented to City Council. The food has been ordered.
- **Gravel Lease Opportunity** will be spoken to later by City Attorney Dan Hyatt.
- **Satellite monitoring system** all the weirs have been installed and the state was scheduled to do the inspection. Mr. Hein has not had a chance to inspect them himself. He will.
- **City Annual Leaf and Limb Clean up** is scheduled to begin May 18, 2009 leaf and limb pickup. City crews will attend to that item. The costs of this have been 10k per year but now with the transfer station available, the costs should not be that great.
- **Kansas Street Sanitary Sewer** project has been completed.
- **Economic Development:** city crews will start the gas, water, and sewer in the next few weeks. And the Phone Company also has been asked to begin their part. The grocery store is very much interested in coming here; they have some environmental issues they need to deal with. The city will help as much as, as feasible. City Administrator Alan Hein has an idea, a tax abatement incentive program plan to work on in the next 90 days, so City of Walsenburg is ready, to proact as opposed to react to , Economic Development that will come.
- **Personnel Policy for City of Walsenburg;** Alan has been working diligently on this and plans to have drafts to City Council by next meeting.
- **Headwaters Corp/Ranch Well Update;** These folks were scheduled but had nothing to report; they are having well permit problems
- **Applegate Raw Water Project** will have a report next meeting on this item. They had nothing prepared for tonight. There is a contract for the well drilling for the project.
- **Edie Flanagin commended City Administrator Alan Hein** on his first month work as a lot had been thrown at him and he has responded well, it was noted.

Consent Agenda

Lori Sheldon read the City Treasurer report that was not presented at the March meeting; the city had \$8,733,690 Cash On Hand at the end of March 2009 according to Finance Director Krystel Vigil.

Citizen Forum

No one appeared when Mayor Pro-tem Quintana called for this item

Unfinished Business State Highway Bridge repair was addressed to City Council by **Colorado Department of Transportation** employee Joe Garcia as it will impact the city when

south bound traffic (about 6000 vehicles per day) will **be routed** through Walsenburg via **Exit 52** and through town and out **Exit 49 beginning May 26, 2009** until early July 2009 while the **south bound Bridge I-25 over US Highway 10** is patched and repaired. City Council expressed concerns over the negative impact so much traffic may cause. Erin Jerant asked Mr. Garcia if there were any positive impacts seen in these types of re-routes. And she expressed concern over local traffic pattern impacts as well as Colorado Department of Transportation making needed repairs to City of Walsenburg streets when the rerouting has been completed.

Her Safety Committee would like to meet to discuss such problems with Colorado Department of Transportation soon, as there will also be another re-routing when the **northbound** bridge is repaired; **some 3000 vehicles per day** after July 4 weekend. The inconvenience should last through June, 2009; perhaps some good will occur once the traveling public knows there is a city off the interstate. The Colorado Department of Transportation cost will be some \$600,000, and comes from another fund not the stimulus, Gonzales explained. Both offered to keep the communication channels open on the matter.

Mayor Pro-tem Bruce Quintana read Resolution 2009 R-06 on annexation of property where the waste water treatment plant will be placed setting a hearing on June 9, 2009 at 6:00 p.m., after the resolution has been published in the paper of record for four consecutive weeks. Erin Jerant expressed concern as she has School Board meeting at the same time that Public Hearing is scheduled. James England made the motion to approve resolution 2009 R-6 with David Mockmore seconding the motion. Motion passed on a Roll Call Vote of 6 to 0.

RESOLUTION NO. 2009 R-6

A RESOLUTION REGARDING THE ANNEXATION OF CERTAIN PROPERTY INTO THE CITY LIMITS OF THE CITY OF WALSENBURG, COLORADO.

WHEREAS, on April 21, 2009, at a regular meeting of the City Council of the City of Walsenburg, the City of Walsenburg, Colorado presented an Annexation Petition; and

WHEREAS, the City Council has reviewed the Petition and found that Petition is in substantial compliance with C.R.S. § 31-12-107.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, COLORADO, AS FOLLOWS:

- a. That the City Council of the City of Walsenburg hereby finds that the Petition for annexation submitted by the City of Walsenburg, a copy of which is attached to this resolution, is hereby found to be in substantial compliance with the terms, conditions and requirements of C.R.S. § 31-12-107.
- b. That the City of Walsenburg shall hold a hearing pursuant to statutory requirements to determine if the proposed annexation complies with statutory requirements found at C.R.S. §§ 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation.
- c. Said hearing shall be held on the 9th day of June, 2009, at 6:00 p.m. which date is not less than thirty (30) days nor more than sixty (60) days after the effective date of this resolution.
- d. The Clerk of the City shall, pursuant to C.R.S. § 31-12-108, publish notice of the hearing once a week for four consecutive weeks in a newspaper of general circulation, the first publication to be at least thirty (30) days prior to the hearing and provide a copy of the published notice, a copy of the resolution and the petition, by registered mail, to the board of county commissioners of Huerfano County, the county attorney for Huerfano County, and any special district or school district having territory within the area to be annexed at least 25 days prior to the date of the hearing.

APPROVED AND ADOPTED this 5th day of May, 2009.

By _____
Mayor

ATTEST:

Deputy City Clerk

Erin Jerant made the motion to approve the Northlands Preliminary Engineering Report; David Mockmore seconded the motion. Motion passed on a Roll Call Vote of 6 to 0.

The finance Committee discussed pay raises for City Council as it has been since the 1990's the last raise was approved by the city's voters. Larry Patrick made the motion to approve pay raise to **\$400 a month for the mayor and Mayor Pro-tem to \$350 per month**, a raise of **\$300.00 per month for Regular City Council**, a \$25.00 per meeting for each Committee meeting attended by City Council up to a **maximum of \$200** extra per month, beginning in **January of 2010**. Erin Jerant seconded the motion passed that passed on a Roll Call Vote of 6 to 0.

New Business

A question of whether an Executive Session could be held if it were not announced on the agenda. City Attorney Dan Hyatt said it would be ok.

Executive Session

Erin Jerant made motion seconded by Edie Flanagin to enter into Executive Session under C.R.S. §24-6-402(4)(b), for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions. The time was 8:05 p. m. and the recorder was turned on

Present at the Executive Session were:, Larry Patrick, Edie Flanagin, David Mockmore, Erin Jerant, James England, City Administrator Alan Hein, Assistant Administrator Beth Neece, and City Attorney Daniel Hyatt.

Following the Executive Session Mayor Pro-tem Bruce Quintana noted that if any person who participated in the Executive Session believes that any substantial discussion of any matter not included in the motion to enter into Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meeting Law, and asked, that statements concerning such be made at this time. There being none, the Regular Session continued. The time was 9:00 p.m.

At the end of the Executive Session, the tape was given to City Attorney Daniel Hyatt.

Adjournment

City Council meeting adjourned at 9:03 p.m.

CITY OF WALSENBURG

ATTEST:

Bruce Quintana
Mayor Pro-tem

John E. Zgut
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.