

STATE OF COLORADO  
COUNTY OF HUERFANO  
CITY OF WALSENBURG  
Regular Session Meeting  
December 2, 2008 7:00 p.m.

Mayor Sheldon called the meeting to order at 7:00 p.m.: the Pledge of Allegiance was recited. Council members present were: Larry Patrick, Edie Flanagin, Susan Blake, Bruce Quintana, David Mockmore, Erin Jerant, and James England. Others present were City Administrator Eric Pearson, Ranch Manager Butch Corsentino, Public Works Director Rich Tenorio, City Clerk/Treasurer John E. Zgut, and City Attorney Daniel Hyatt. Lou Taylor was absent.

**APPROVAL OF MINUTES**

The minutes of the November 18, 2008 meeting were accepted on a motion by James England, seconded by Susan Blake. Motion passed on Roll Call Vote of 8 to 0.

A motion to approve the minutes of the Public Hearing on Up Town Liquors was made by James England, Susan Blake seconded the motion then motion passed on Roll Call Vote of 7 to 0 with Erin Jerant abstaining.

The Public Hearing minutes of November 18, 2008 on Ordinance 977 was approved on a motion by Erin Jerant, with James England seconding the motion. Motion passed on Roll Call Vote of 8 to 0.

**Committee Reports**

**Finance Committee** Chair Larry Patrick reported the Committee went over the upcoming 2009 budget; the savings generated by change of dispatch to county, decreased deficits in general; the implications of property donation at Indiana and Walsen; augmentation costs to city rate payers of water at the rate of 2 to 1; Walsenburg Wild Waters Park plans and bids for scheduled improvements and Ordinance 977 to be discussed later in this meeting. The next scheduled meeting will be 15 December 2009 at 5:00 p.m.

**Parks and Recreation Committee** Chair Bruce Quintana noted the last meeting was moved to the Walsenburg Golf Course to meet with that board to discuss options for the franchise agreement. There were no answers among the attendees including two Huerfano County Commissioners, but a lot of thoughtful ideas were brought forth. The board will be invited to the next meeting of the Parks and Recreation Committee January 18, 2009.

**Safety and ADA Committee** Chair Lou Taylor was absent; City Clerk Zgut reported CPR training will take place the 4<sup>th</sup> at 9:00 a.m.

**Public Works Committee** Chair Edie Flanagin noted that discussed at the November 20, 2008 meeting were: COP implementation plan, the 2008 goals that were met, the 25 miles of water and sewer lines put in 1948 that now are deteriorating and need replacing, CIP addresses, Capitol Hill water tank replacement that Harrington is to inspect in early 2009, the effect of replacement on raw water users replacing the line from La Veta with a new 20" water transit line will have. Also, the Street and Alley crew have been patching roads and grading graveled roads, the Gas Department reported progress in extending gas lines to Northlands, progress at the waste water treatment plant, and agreements with the Coler Ditch owners. Discussed also were the Capitol Improvement Fund needs for items such as a sewer vacuum truck, a full service truck for outside water, a new street sweeper, the need to shut off the Walsenburg East Ranch well, recommended uses of the land on the north side of Walsenburg East Ranch, the well at the Kincaid place and the appraisal of the Kincaid place. The next meeting will be on December 9,

2008 at 5:00 p.m.

**Citizen Forum**

No one appeared at this meeting.

**REPORTS**

**City Administrator Eric Pearson** reported on these items: David Harriman oversaw the completion the building at the declor plant and Street and Alley crew assisted in rough grading of the ground for the waste water treatment plant; the finance meeting discussed the merging of the water and sewer fund in accordance with the bond ordinance, Ordinance 959, that was completed by Finance Director Krystal Vigil. Final appraised value has been received form the Assessor Office. Certification must be completed by the end of day on December 15, 2008. This will necessitate moving of the Special City Council meeting on the budget to an earlier date. The settled upon date for a **Special City Council meeting was 9 December at 5:30 p.m.** and the Public Works Committee will then meet immediately following that budget approval meeting. Any question can be sent to Pearson by the 8<sup>th</sup> and he will answer them before the meeting. City Attorney Dan Hyatt joined the discussion of the subject.

**Ranch Manager Butch Corsentino** interjected during the City Manager report that the Walsenburg East Ranch **well would best served by becoming an exempt well.** He will lobby Water Commissioner Brgoch for that to happen. A discussion on the **end date for Faldutos** to vacate the Walsenburg East Ranch north pasture land ensued and City Council stuck by original date of **December 15, 2008.**

Pearson noted the yearly evaluation of employees is due as well as his by City Council. **Chief of Police Larry Baldonado** reported on the **West 6th Street fire** that occurred Friday, 28 November 2008 that took out 2 buildings. **CBI** has come down **to evaluate** the fire that was suspected arson and there are some suspects. There are also some lead as to whom Mik the tagger is.

**Unfinished Business**

James England made the motion to approve the **Amended Treasurer's Report** presented by Finance Director Krystal Vigil to City Clerk after last Regular City Council Meeting: actual total was \$8,651, 519.99. Edie Flanagan seconded the motion that passed on Roll Call Vote of 8 to 0. A motion to approve **Resolution 2008 R-29** Setting Water and Sewer Rates Resolution 2008 R-29.

**A RESOLUTION SETTING 2009 WATER AND SEWER RATES FOR THE CITY OF WALSENBURG WATER AND SEWER SYSTEM**

**WHEREAS,** the City of Walsenburg in the County of Huerfano and the State of Colorado, is a Colorado municipal corporation duly organized and existing under the Colorado Constitution and the laws of the State of Colorado; and

**WHEREAS,** the City Council of the City of Walsenburg finds that it is necessary to set water and sewer rates, fees and penalties pursuant to Ordinances 965 and 966; and

**WHEREAS,** the City Council of the City of Walsenburg has authority under Ordinances 965 and 966 to set rates, fees, and penalties by Resolution of the City Council.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, IN THE COUNTY OF HUERFANO AND THE STATE OF COLORADO**

- The following rates, fees and penalties shall be effective as of the first bill of 2009, which should occur on or about February 1, 2009.

**WATER AND SEWER RATES**

Monthly Rates Inside City Limits

	Monthly Usage	Rate per
	<u>(Gallons)</u>	<u>1000 gallons</u>
First	4,000	\$22.50 Minimum Charge
	4,001 to 15,000	\$1.25 per 1000
Over	15,000	\$2.25 per 1000

Minimum Charge: The metered rates set forth above shall be subject to a minimum charge of \$22.50 for the first 4,000 gallons as shown in the table. Any meter reading, regardless of meter size, of less than 4,001 gallons per monthly meter reading cycle shall be charged the minimum rate.

**Tank Truck Rates**

The fee for water delivered through city fire hydrants shall be **fifteen dollars (\$20.00)** [NOTE DISPARITY] per one thousand (1,000) gallons.

**The customer shall make a security deposit by certified funds or cash in the amount of two thousand dollars (\$2,000) to be held in escrow by the city until the customer makes full payment in good funds of the final statement.**

**Water Haul**

The rates, fees and all other charges associated with delivery of water via the city water haul meter and meter system currently located in the alleyway at 525 South Albert, Walsenburg, CO shall be the same as set forth in Resolution 2007 R-5 duly adopted by the Walsenburg City Council on June 21, 2007.

**Sewer Service Rates**

<u>Type of Use</u>	<u>Sewer Service Rate</u>
<b><i>All single-family residential units.....</i></b>	<b><i>\$30.00</i></b>
Residences, apartments, mobile homes, And trailer courts.	

***Commercial***

Prisons and correction facilities per stool.....	\$20.00
Hotels per room and motels per unit .....	\$20.00
Hospitals per stool .....	\$20.00
Nursing Homes and schools, each.....	\$500.11
Laundries, Laundromat, each.....	\$400.00
Community Center .....	\$400.00
Car Washes.....	\$400.00
Filling Station- With Wash Rack .....	\$100.25
-Without Wash Rack .....	\$60.15
All other commercial users	\$60.15

**Minimum Sewer Charge**

The minimum sewer charge, regardless of sewer use, shall be as Ordinance 961.

**Water Tap Fees Inside City Limits**

<u>Tap Size</u>	<u>Amount</u>
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3/4 Inch (Minimum).....	\$2,000
1 Inch .....	\$3,600
1-1/4 Inch.....	\$5,400
1-1/2 Inch.....	\$8,000
<b>2 Inch.....</b>	<b>\$14,000</b>
2-1/2 Inch.....	\$20,600
<b>3 Inch.....</b>	<b>\$32,000</b>
4 Inch.....	\$49,000
6 Inch (Maximum) .....	\$108,000

Sewer Tap Fees- Inside City Limits

**Tap Size(based on water**

<u>service sizing)</u>	<u>Amount</u>
3/4 Inch.....	\$1,500
1 Inch.....	\$2,700
1-1/4 Inch .....	\$4,050
1-1/2 Inch.....	\$6,000
2 Inch.....	\$10,500
3 Inch.....	\$24,000
4 Inch.....	\$36,000
6 Inch.....	Negotiated

**Special Water and Sewer Tap Fees**

The city reserves the right to evaluate the water and sewer tap fee rates to each premises or establishment in order to adjust the referenced fees to take care of special water, waste water, or treatment requirements.

**Monthly Rates for Properties Outside City Limits**

All rates, fees and charges for outside city limits customers shall be double the inside rate for the same rate fee or charge.

**Check Fees**

Non-sufficient funds Check Fee – Any check that is written to the city for any municipal utility purpose that is returned for non-sufficient funds shall be charged a \$25.00 fee to defray the City’s incurred costs of processing the non-sufficient fund check.

**Augmentation fees**

The augmentation fee shall be \$1.25 per 1,000 gallons

**EFFECTIVE DATE**

This Resolution takes effect with the first bill of 2009, which should occur on or about February 1, 2009.

**Adopted and passed upon this 2<sup>nd</sup> day of December, 2008**

ATTEST:

CITY OF WALSENBURG

\_\_\_\_\_  
Edith T. Sheldon, Mayor

\_\_\_\_\_  
John E. Zgut, City Clerk

SEAL

QUOTE FROM PAGE 3 OF Ordinance 961

**Section 1. Sewer Rate Increase - 2009.** Beginning with the first billing cycle in 2009, sewer rates shall be amended to be as follows:

<u>Type of Use</u>	<u>Monthly Rates for Properties Inside City Limits</u>	<u>Monthly Rates for Properties Outside City Limits</u>
<b>Residential Uses:</b>		
All single-family residential units (residences, apartments, mobile homes, and trailer courts):	\$30.00	\$60.00
<b>Commercial Uses:</b>		
Prisons and correctional facilities per stool	\$20.05	\$40.10
Hotels per room and motels per unit	\$20.05	\$40.10
Hospitals per stool	\$20.05	\$40.10
Nursing homes and schools, each	\$500.53	\$1,001.06
Laundries, Laundromats, each	\$400.92	\$801.84
Community center	\$400.92	\$801.84
Car Washes	\$300.70	\$601.39
Filling stations - with wash rack	\$100.24	\$200.47
Filling stations - without wash rack	\$60.13	\$120.26
All other commercial users not named above	\$60.13	\$120.26

Edie Flanagan made the motion **advertise for Legal Notices** among the three operating newspapers in the county for one year. Erin Jerant seconded the motion which passed on Roll Call Vote of 8 to 0.

**New Business**

**Liquor License Renewal** for the **Blue Rooster Saloon** at 500 Main Street was presented by City Clerk John Zgut. James England made the motion to approve the renewal of The Blue Rooster Saloon for 2009; Erin Jerant seconded the motion that passed on Roll Call Vote of 8 to 0.

A motion for approval of the **Liquor License Renewal for Thirty Eight Special Discount Wines and Liquor** at 138 W. 7th. Street was made by James England; Susan Blake seconded the motion. Motion passed on Roll Call Vote of 7 to 0 with Erin Jerant abstaining.

**Introduction of and First Reading of Ordinance 981** by title only , **AN ORDINANCE OF THE CITY OF WALSENBURG REGARDING APPLICATION FEES FOR LIQUOR LICENSES** was made by James England. Bruce Quintana and Erin Jerant seconded the motion that passed by a Roll Call Vote of 8 to 0. City Attorney Daniel Hyatt explained to Larry Patrick that the Ordinance follows the state.

A motion to **review and approve four** of the six **applicants for the Planning and Zoning Board-Board of Adjustments** was made by James England, seconded by Susan Blake and approve on a Roll Call Vote of 8 to 0.

A motion to approve **Alicia King Bryant** to the Planning and Zoning Board/Board of Adjustment was made by Erin Jerant, seconded by Bruce Quintana and then passed by a Roll Call Vote of 8 to 0.

A motion to approve **Mike Lave'** to the Planning and Zoning Board/Board of Adjustment was made by Larry Patrick, seconded by Edie Flanagin, and then passed by a Roll Call Vote of 8 to 0.

A motion to approve **Kathryn Doolittle** to the Planning and Zoning Board/Board of Adjustment was made by James England seconded by Erin Jerant, and the passed by a Roll Call Vote of 8 to 0.

A motion to approve **Maurice Rodriguez** to the Planning and Zoning Board/Board of Adjustment was made by James England, seconded by Erin Jerant and then passed by a Roll Call Vote of 8 to 0.

Applicants Oress DeHerrera and James Baca were not chosen, but another may be appointed as it was unsure at this meeting if a fifth vacancy was open.

A motion to approve an **additional \$5,000 in funds for Planning and Zoning Ordinance update** was made by Edie Flanagin on a request by Plan Tools, Inc. executive Martin Landers who is working with Colorado Code to update the out of date and incorrect present zoning Ordinance was seconded by Erin Jerant. Motion passed on a Roll Call Vote of 8 to 0.

### **Adjournment**

City Council meeting adjourned at 9:37 p.m.

CITY OF WALSENBURG

ATTEST:

\_\_\_\_\_  
Edith T. Sheldon,  
Mayor

\_\_\_\_\_  
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.