



CITY OF ROCKY FORD – CITY COUNCIL MEETING

November 28, 2023

WORK SESSION: 6:00 p.m.

Mayor Pro Tem Duane Gurulé, Councilmembers Nicole Roberts, Nicholas Martinez and Larry Herrera met to have continuing discussion of the city's business licensing ordinance.

Others present: J.R. Thompson, Gary Reed and Robert Barron

REGULAR MEETING: 7:00 p.m.

Rocky Ford City Council met in Council Chambers on Tuesday, November 28, 2023. Mayor Pro Tem Duane Gurulé called the meeting to order. Those present at roll call were:

Mayor Pro Tem: Duane Gurulé

Councilmembers: Nicholas Martinez, Larry Herrera and Nicole Roberts

Staff: City Clerk Rebecca Korinek, Fire Chief Ray Gonzales and Finance Director Kyle Crosswhite

Others present: J. R. Thompson, Gary Reed, Robert Barron, Chandra Ochoa and Jule Apodaca. Many other (unknown) people were in the audience but did not sign in.

Mayor Pro Tem led the pledge of allegiance.

Councilmember Roberts read aloud the City of Rocky Ford's Mission Statement

PUBLIC COMMENT

J.R. Thompson advised Council that the Rocky Ford Planning Commission will be conducting a public hearing on Monday, December 4, 2023, and all are invited to attend.

Robert Barron, 1104 Virginia, asked Council why tax payers cannot use the public restrooms at City Hall.

Barron reported that the international building code is on the City web page, and under chapter 29, section 2902.3.1 cites that public shall have access to toilet facilities at all times that the building is occupied.

STAFF REPORTS

NONE

CITY MANAGER'S REPORT

City Manager Shannon Wallace submitted her report by email and was out on vacation and didn't have anything else to report for Council for tonight's meeting.

MAYOR AND CITY COUNCIL REPORTS

Councilmember Roberts reported the following:

- Roberts reported that the Chamber of Commerce Board held an emergency meeting on Thursday. Roberts was appointed as the Chamber of Commerce Manager. The Chamber hosted a community dinner after the "Parade of Lights" last Saturday. The next Chamber meeting will be on January 18th at 6 p.m.

Councilmember Martinez reported the following:

- Martinez reminded all that there is a recycle option that can be added to your utility account or there is a local pickup at the Fairgrounds.

Councilmember Herrera reported the following:

- Herrera reported that the Rocky Ford Country Club has been busy fixing sprinklers. The fencing still needs to be repaired going up to Play Park Hill. The fence gets repeatedly hit by vehicles.

Councilmember Gurule reported the following:

- Gurulé will be attending the Colorado Municipal League (CML) Mayor' Summit in Denver.
- The Art's Commission will be meeting in December.
- Gurulé will be transitioning into the role of Mayor.
- Gurulé will be a member of the Rocky Ford Planning Commission and will attend the public hearing on Monday, December 4th
- Gurulé thanked the Public Works Team and Black Hills for getting all the Christmas lighting up. Gurulé thanked Councilmember Cordova for all her hard work on getting donations for the lights.

ANY CHANGES TO THE AGENDA OR CONSENT AGENDA

Councilmember Roberts asked that the application submitted by the Chamber of Commerce for a special event permit be removed from the consent agenda and added, under new business.

APPROVAL OF AGENDA AND CONSENT AGENDA

Mayor Pro Tem Gurulé explained the agenda and consent agenda to all. Councilmember Herrera moved to approve the agenda and consent agenda with the requested removal. The motion was seconded by Councilmember Martinez. Voting results were:

YES	Herrera, Roberts, Martinez, Gurulé.
NO	None
ABSENT	Mayor Jung, Kerr, Cordova

Motion carried 4-0

Consent Item(s) approved:

1. Approval of previous meeting minutes for November 14, 2023.
2. Approval of "special meeting" minutes for November 17, 2023.

OLD BUSINESS

NONE

CURRENT SITTING COUNCIL ADJOURNMENT – *Adjournment of Meeting of Outgoing Councilmembers and Oath of Office to New Council Members*

Certified election results were received from the Otero County Clerk and Recorder's Office showing the results of the registered voters in the City of Rocky Ford for the November 2023 Election.

Mayor Pro Tem Gurulé recessed the regular meeting for the adjournment of outgoing Mayor Susan Jung and outgoing Councilmember Scott Kerr.

City Clerk Rebecca Korinek gave the oath of office to Mayor Duane Gurulé and Councilmember Ward III Nicole Roberts. Sherry Cordova will be given the oath of office at the next regular meeting scheduled for Tuesday, December 12, 2023.

Mayor Gurulé reconvened the meeting and called the new Council to order. Gurulé and Roberts gave short speeches of thanks and acknowledgments.

NEW BUSINESS

8.1 Declaration of Council Vacancies

After the 2023 Coordinated (with Otero County) Election, there are two (2) vacancies in the City of Rocky Ford Ward III. Councilmember Herrera made a motion to declare (two) vacancies in the City of Rocky Ford Ward III and to authorize the City Clerk to publish the vacancies in the local newspaper. The motion was seconded by Councilmember Roberts. Voting results were:

YES Gurulé, Roberts, Martinez, Herrera

NO None

ABSENT Cordova

Motion carried 4-0

8.2 Ron Magdaleno – (via zoom) – Requesting Council to Allow an Above-Ground Mausoleum/Crypt and Discuss Cemetery Flooding Issues

Ron Magdaleno was not present on zoom at the time this matter came before Council. After the motion and vote on Ordinance #977, it was noted that Ron Magdaleno did join the zoom meeting. It was the general consensus of Council to allow Mr. Magdaleno to comment on his request and concerns. Much discussion was held, between Council and Mr. Magdaleno, regarding his request for an above-ground mausoleum and the flooding issues at the Rocky Ford Cemetery. Council requested that Mr. Magdaleno submit detailed information, photos and exact dimensions of the proposed mausoleum. Councilmember Herrera made a motion to table this matter until the next regular meeting scheduled for December 12, 2023 at 7:00 p.m. The motion was seconded by Councilmember Roberts. Voting results were:

YES Martinez, Herrera, Gurulé, Roberts

NO None

ABSENT Cordova

Motion carried 4-0

8.3 Ordinance #975 – An Ordinance Levying General Property Taxes for the Year 2023 to Help Defray the Costs of Government for the City of Rocky Ford, Colorado, for the 2024 Budget Year, and for the Mill

Levy on Each Dollar's Worth of Property as Per the Assessed Value Thereon, as Shown by the Assessor of Otero County for the Year 2023, as Fixed by the Board of Equalization, on first reading

It was moved by Councilmember Martinez and seconded by Councilmember Herrera to approve and adopt Ordinance #975 on first reading. Voting results were:

YES Roberts, Martinez, Herrera, Gurulé
NO None
ABSENT Cordova
Motion carried 4-0

8.4 **Ordinance #976 – An Ordinance Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Rocky Ford, Colorado, for the Calendar Year Beginning on the First Day of January 2024, and Ending on the Last Day of December 2024, on first reading**

It was moved by Councilmember Herrera and seconded by Councilmember Roberts to approve and adopt Ordinance #976 on first reading. Voting results were:

YES Roberts, Martinez, Herrera, Gurulé
NO None
ABSENT Cordova
Motion carried 4-0

8.5 **Ordinance #977 – An Ordinance Appropriating Sums of Money to the Various Funds in the Amount and for the Purpose as Set Forth Below, for the City of Rocky Ford, Colorado, for the Year 2024 Budget Year, on first reading**

It was moved by Councilmember Roberts and seconded by Councilmember Herrera to approve and adopt Ordinance #977 on first reading. Voting results were:

YES Martinez, Herrera, Gurulé, Roberts
NO None
ABSENT Cordova
Motion carried 4-0

8.6 **Resolution #9 – Series 2023 – A Resolution for Support of the Arkansas Valley Fairgrounds & Crystal Lake Project**

Mayor Gurulé informed Council that a new resolution will be needed for the City's support of the project and support of the phase 1 grant. Councilmember Roberts moved to approve and adopt Resolution #9 – Series 2023 – A resolution for support of the Arkansas Valley Fairgrounds and Crystal Lake Project. The motion was seconded by Councilmember Martinez. Voting results were:

YES Herrera, Gurulé, Roberts, Martinez
NO None
ABSENT Cordova
Motion carried 4-0

8.7 **Application for Special Event Permit – Rocky Ford Chamber of Commerce, 107 North Main (Gobin Building), Rocky Ford, on Saturday, December 2, 2023 from 3:00 p.m. to Midnight.**

Councilmember Roberts commented that the reason she asked to remove this item from the consent agenda is the fact that Roberts has been appointed as the Chamber of Commerce Manager and Roberts was not certain if a conflict of interest exists on her voting on the application. It was the general consensus of Council that no conflict of interest exists and Councilmember Roberts will not benefit, in any way, by voting. Councilmember Herrera moved to approve the application for a special event permit for the Rocky Ford Chamber of Commerce, 107 North Main, (Gobin Building), Rocky Ford, CO for Saturday, December 2, 2023 from 3:00 p.m. to Midnight. The motion was seconded by Councilmember Martinez. Voting results were:

YES Gurule, Roberts, Martinez, Herrera
NO None
ABSENT Cordova
Motion carried 4-0

PUBLIC COMMENT

Christopher McCrary, 605 Bowen, reported that there is a city tree in his yard, between the street and sidewalk, that is causing root damage to his water line and gas line. McCrary reported that he had hired a plumber because he thought he had a water leak in the yard. McCrary reports that the plumber advised him that the water leak was due to the tree roots. The tree is located in the easement between the city roadway and McCrary's property line. It was the general consensus of Council to request that work order will be issued for the Public Works Department to investigate the matter.

Councilmember Herrera informed all that the Elks Lodge will have Santa Clause, for babies and up to 12 years of age, will be at the Elk's Lodge Christmas Party for Kids on Sunday, December 17, 2023 at 2:00 p.m.


Robert Barron informed Council that there is a motor coach parked behind the Rocky Ford Police Department. Barron asked Council why it was okay for a city employee to park a personal RV motor coach on city property but city residents cannot do that.

ADJOURN

A motion to adjourn was made by Councilmember Martinez and there being no further business, Mayor Gurulé adjourned the regular meeting at 8:07 p.m.



Mayor Duane Gurulé



Rebecca Korinek, City Clerk

