



CITY OF ROCKY FORD – CITY COUNCIL MEETING

December 8, 2020

WORK SESSION: 6:00 p.m.

Mayor Susan Jung, Councilmembers Rich Geist, Jolly Rose, Cuco Ruiz, Daryl Grasmick, Peggy Sue Corbin-Romero, City Manager Shannon Wallace and Public Works Director Rick Long met by Zoom meeting. Discussion was held regarding the vacant building registry proposal. Council would like City Attorney Nathan Shultz to go ahead and draft an Ordinance for their review.

City Manager Wallace explained the budget reports regarding the Grand Theater to inform Council of where the Grand Theater stands regarding the 2020 budget.

Discussion was held regarding the City of Rocky Ford's responsibilities to the Gobin Building and what responsibilities remain with the Chamber of Commerce. A letter will be sent to the Chamber of Commerce asking to meet and discuss the Gobin Building revenues and expenses. Councilmember Grasmick commented that he believes there is money allotted for the City to use towards expenses for the Gobin Building.

Councilmembers discussed the possibility of having a "goal setting" meeting somewhere other than Council Chambers or Zoom meeting. More discussion will be held when Covid-19 restrictions are lifted.

REGULAR MEETING: 7:00 p.m.

Rocky Ford City Council met in session via Zoom at 7:00 p.m. on Tuesday, December 8, 2020. Mayor Susan Jung called the meeting to order. Those present at roll call were:

Mayor: Susan Jung

Councilmembers: Rich Geist, Jolly Rose, Cuco Ruiz, Daryl Grasmick and Peggy Sue Corbin-Romero.

Councilmember Sherri Cordova joined at 7:10 p.m. but was unable to be heard on her phone.

Staff: City Manager Shannon Wallace, City Attorney Nathan Shultz, Finance/HR Director Azucena Estrada, Police Chief Angelo Griego, Public Works Director Rick Long, Parks and Recreation Director Stacey Milenski, Library Director Leanna Chavez and Deputy City Clerk Rebecca Korinek

Others present: J.R. Thompson, George Hanzas with the Rocky Ford Elk's Club, Shelly Bauer, Donna Starck

APPROVAL OF AGENDA AND CONSENT AGENDA

Mayor Jung explained the Agenda and Consent Agenda to Council and audience. Councilmember Rose moved to approve the Agenda after changing the date of the approval of city council minutes to Tuesday, November 24, 2020 and removing the liquor license renewal for the BPOE #1147 Elk's Club that was on the consent agenda and placing it as #15 under new business on the agenda. The motion was seconded by Councilmember Geist. Voting results were:

YES Ruiz, Grasmick, Corbin-Romero, Geist, Rose, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Consent items approved were:

1. City Council Meeting Minutes from November 24, 2020

PUBLIC COMMENT

George Hanzas with the Rocky Ford BPOE Elk's Club spoke to Council about the Club's desire to section off an area that can be used as "outdoor" dining. With the current level of restrictions for COVID-19, the porch is not being used. Some discussion was held.

CITY MANAGER'S REPORT

City Manager Shannon Wallace went over the contents of her manager report with Council. In addition, discussion was held regarding:

1. Three employees that have returned to work after COVID quarantine.
2. Security system for City Hall.
3. Cares Act.

MAYOR AND CITY COUNCIL REPORTS

Mayor Jung reported that the Colorado Municipal League (CML) may be able to help secure grants to help with the required usage of body cameras and the storage of images for police officers.

Councilmember Rose reported that the Rocky Ford Planning Commission cancelled its meeting this month. She attended an Otero Partners Inc. (OPI) meeting. The Board is managing the business loan fund. Rose also reported that the Otero County Landfill, Inc. (OCLI) had postponed their meetings to the third Monday of the month to allow more time for information to be collected. The Library Board is looking at offering some online reading for youth.

STAFF REPORTS

Library Director Leanna Chavez gave a departmental report to Council regarding the COVID restrictions and how they are offering curbside checkout of books and other materials. Public can email any documents that they need printed, the staff will print and they can pick them up curbside. The library did receive a 2021 summer reading grant in the amount of \$4,000.

Parks and Recreation Director Stacey Milenski reported to Council that all recreation programs have been placed on hold until COVID restrictions are lifted. Some adult softball tournaments were held over the summer at Babcock Park and youth soccer and kickball programs were offered in the fall. Improvements were made at Babcock Park including a six foot fence on the middle playing field, old cinderblock dugouts were removed and replaced with chain link, old batting cage was removed and a new one was put up, painting of handicap railings and the restrooms were painted and a bench was installed for the scorekeeper. Railroad Park benches were repaired and freshly painted. Improvements at Library Park were new handicap rails, new paint at the entrance of the library, overgrown bushes and grass were cutback and debris was removed. Crew will work to remove overgrown branches from trees at Play Park Hill.

The Parks department would like to utilize the shop at the fairgrounds to store equipment and protect the equipment from weather. New signage was placed at the cemetery entrance and cemetery and parks crew are working to clean the blocks at the cemetery to prepare for the Wreath's Across America, celebrated on December 18, 2020. Crew is also cutting back the peonies to promote new growth.

Due to COVID restrictions no fairground facilities are being rented at this time and RV rental space income is running close to figures from last year.

OLD BUSINESS

Hancock Well

Public Works Director Rick Long informed Council of what he knows about the well. Much discussion was held regarding what should be done with the Hancock Well. The well has poor quality of water and is believed to have radon and selenium which makes the water not a viable source of potable water. The well has not been used since 2009, the pump and other equipment are not in good shape, the well is not adjudicated for agricultural use and has no augmentation water available. Public Works Director informed Council that the well has little to no value to anyone. Councilmember Grasmick offered to contact Brian Hancock to see if he knows anything about it. Councilmember Geist moved to table this matter to a meeting in January to allow time to gather additional information. The motion was seconded by Councilmember Grasmick. Voting results were:

YES Grasmick, Corbin-Romero, Geist, Ruiz, Jung

NO Rose

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 5-1

ORDINANCE CONSIDERATION

Councilmember Rose moved to approve and adopt **Ordinance #956: An Ordinance Repealing Ordinance #901 known and Cited as “the Protection of Minors from Tobacco Act” and Enacting a New Ordinance to be Known and Cited as “the Protection of Persons Under Twenty-One Years of Age from Tobacco Act”**, on first reading. The Motion was seconded by Councilmember Geist. Voting results were:

YES Grasmick, Corbin-Romero, Geist, Rose, Ruiz, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

It was moved by Councilmember Ruiz and seconded by Councilmember Grasmick to approve and adopt **Ordinance #957: An Ordinance Repealing Ordinance #902 Known and Cited as the “Non-Cigarette Tobacco Product Retail License for the City of Rocky Ford, Colorado” and Enacting a New Ordinance to be Known and Cited as the “Tobacco Product Retail License for the City of Rocky Ford, Colorado”**, on first reading. Voting results were:

YES Corbin-Romero, Geist, Rose, Ruiz, Grasmick, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

It was moved by Councilmember Rose and seconded by Councilmember Geist to approve and adopt **Ordinance #953: An Ordinance Levying General Property Taxes for the Year 2020 to Help Defray the Costs of Government for the City of Rocky Ford, Colorado for the 2021 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 2020, as fixed by the Board of Equalization**, on second reading. Voting results were:

YES Geist, Rose, Ruiz, Grasmick, Corbin-Romero, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

It was moved by Councilmember Rose and seconded by Councilmember Geist to approve and adopt **Ordinance #954: 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 2021 Budget Year**, on second reading. Voting results were:

YES Rose, Ruiz, Grasmick, Corbin-Romero, Geist, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

It was moved by Councilmember Rose and seconded by Councilmember Geist to approve and adopt **Ordinance #955: 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, 2021, and Ending on the Last Day of December, 2021**, on second reading. Voting results were:

YES Ruiz, Grasmick, Corbin-Romero, Geist, Rose, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Update on Public Safety Building Funds – Completion of three Interior rooms

City Manager Wallace reported that Fire Chief Ray Gonzales learned that he had significantly less funds than was previously reported to Council. The fund has \$14,670. At the November 24, 2020 Council meeting, City Council approved and authorized Fire Chief Gonzales to award a bid in the amount of \$62,025.65 to Stafford Custom Carpentry, LLC. The Rocky Ford Rural Fire Protection District (RFRFPD) was willing to pay a portion up to \$50,000.

Councilmember Grasmick withdrew his original motion made at the Council meeting on November 24, 2020 and moved to allow the usage of \$14,670 to start the completion of the three rooms at the Public Safety Building with, at least, a matching share to be made by the RFRFPD. Motion was seconded by Councilmember Geist. Voting results were:

YES Grasmick, Corbin-Romero, Geist, Rose, Ruiz, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

NEW BUSINESS

City Manager – Evaluation

Councilmember Rose moved to increase City Manager Wallace's salary by 5% and discuss her evaluation at a later time. Motion failed as there was no second to the motion. Some discussion was held. Councilmember Grasmick moved to table City Manager Wallace's evaluation to the first meeting in January with any pay adjustments being made at a later date. Motion was seconded by Councilmember Corbin-Romero. Voting results were:

YES Corbin-Romero, Geist, Ruiz, Grasmick

NO Rose, Jung

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 4-2

Code Enforcement – Job Description

Some discussion was held regarding whether or not this position should require a certification and how the City will be able to staff the position. Councilmember Grasmick suggested that City Manager Wallace meet with Marcia Menz to get her thoughts on the job description. Councilmember Geist moved to keep the Code Enforcement job description as it is. Motion was seconded by Councilmember Grasmick. Voting results were:

YES Geist, Rose, Ruiz, Grasmick, Corbin-Romero, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Information regarding HRSA and RCORP

Shelly Bauer gave Council information on programs and grants that aim to prevent opioid overdose. The programs are through HRSA and RCORP and the Otero/Crowley County Health Departments.

ORDINANCE CONSIDERATION

It was moved by Councilmember Ruiz and seconded by Councilmember Grasmick to approve and adopt **Ordinance #958 – An Ordinance Amending the Imposition of Ordinance #931 a Six Percent Sales Tax Imposed on the Lawful Retail Sale of Marijuana and Marijuana Products in the City of Rocky Ford Pursuant to Initiated Issued 2E**, on first reading. Voting results were:

YES Rose, Ruiz, Grasmick, Corbin-Romero, Geist, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Discussion – Pension

City Manager Wallace informed Council that the Rocky Ford Rural Fire Protection District (RFRFPD) pays the City \$6,496 per year, per the agreement, to reimburse the City for what the City pays out for pensions. This money was supposed to go towards pensions. The money has been put in the general fund which covers a little over 2,000 that the City pays out. The RFRFPD reports that the difference in money should be put into the pensions. The difference has not been put into the pension fund because it was not known that it should have been done. The Rocky Ford City Auditors are not aware of this either. City Manager Wallace asked Council for guidance on what should be done. Councilmember Ruiz moved to table this matter so that further discussion can be held. Motion was seconded by Councilmember Geist. Voting results were:

YES Ruiz, Grasmick, Corbin-Romero, Geist, Rose, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Liquor License Renewal – Rocky Ford BPOE #1147 Elk’s Club

George Hanzas with the Elks Club had earlier in the evening gave Council information and a drawing of an area on their porch that they are requesting Council to allow them to use as “outdoor service”, as well as, the annual renewal of their liquor license. Councilmember Rose moved to renew the liquor license for the Rocky Ford BPOE #1147 and to allow the use of the porch to accommodate “outdoor service”. Motion was seconded by Councilmember Geist. Voting results were:

YES Grasmick, Corbin-Romero, Geist, Rose, Ruiz, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

EXECUTIVE SESSION

It was moved by Councilmember Rose and seconded by Councilmember Ruiz to go into executive session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), those going into executive session will be Councilmembers Jolly Rose, Cuco Ruiz, Rich Geist, Peggy Sue Corbin-Romero, Daryl Grasmick and City Attorney Nathan Shultz. Voting results were:

YES Grasmick, Corbin-Romero, Geist, Rose, Ruiz, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

Those named for executive session moved to a private zoom meeting room. Executive session ended at 9:09 p.m.

Following adjournment of executive session, Council went into regular session. Councilmember Ruiz moved to direct City Attorney Nathan Shultz to file a complaint with CIRSA for potential loss. Motion was seconded by Councilmember Geist.

Voting results were:

YES Geist, Rose, Ruiz, Grasmick, Corbin-Romero, Jung

NO None

ZOOM MEETING – NO AUDIO Sherri Cordova

Motion carried 6-0

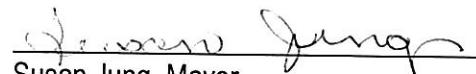
AGENDA ITEMS FOR NEXT MEETING OR WORK SESSION

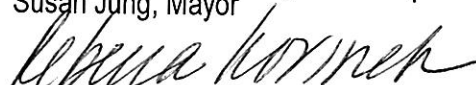
- Review City ordinances
- Review personnel policies
- Permits for Construction
- Crystal Lake

ADJOURNMENT

Councilmember Grasmick moved to adjourn and there being no further business, Mayor Jung adjourned the meeting at 9:12 p.m.




Susan Jung, Mayor


Rebecca Korinek, Deputy City Clerk