



CITY OF ROCKY FORD – CITY COUNCIL MEETING

January 28, 2020

WORK SESSION:

Mayor Susan Jung and Councilmembers Peggy Sue Corbin-Romero, Daryl Grasmick, Cuco Ruiz and Jolly Rose met for a Council Work Session at 6:00 p.m. on Tuesday, January 14, 2020. Others present were: Steve Carlyle, Emmett Davis, City Attorney Bart Mendenhall, Public Works Director Rick Long, City Manager Shannon Wallace, Rick Weiss, Marty Lee, and Shelly Bauer. Discussion was held regarding the IGA with the Rocky Ford Rural Fire Protection District of Otero County. Public Works Director gave an update on current issues with the City's sanitary sewer system regarding much needed infrastructure.

REGULAR MEETING:

Following the work session, Rocky Ford City Council met in regular session at 7:00 p.m. Mayor Jung called the meeting to order. Those present at roll call were:

Mayor: Susan Jung

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

Staff: City Manager Shannon Wallace, City Attorney Bart Mendenhall, Deputy City Clerk Rebecca Korinek

Absent: Matthew Holland and Rich Geist

Others present: Steve Carlyle, Emmett Davis, Rick Weiss, Marty Lee, Margarito Garcia, Maria Garcia, Shelly Bauer, James Conlan, Larry Herrera, Joe Pentlicki and Public Works Director Rick Long

APPROVAL OF MINUTES

Councilmember Rose moved to approve the minutes from the January 14, 2020 council meeting as presented. Motion was seconded by Councilmember Grasmick. Voting results were:

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

NO None

ABSENT Holland, Geist

Motion carried 5-0

CITIZEN PARTICIPATION

Shelly Bauer, Rocky Ford resident, addressed Council. Shelly wanted to inform Council that, after she addressed the Council at the January 28th meeting, she needed to clarify a point. Shelly informed Council that according to Title 1 1-12-000.5(4), Councilmember Grasmick is considered an "elected officer and may be recalled.

Ray Dowling, Rocky Ford resident, advised Council that he is appalled about the law enforcement presence in the City of Rocky Ford. Mr. Dowling reported that there are U-turn signs up and down the main street and Mr. Dowling reported seeing cars almost collide by doing U-turns on a double yellow line. Mr. Dowling reported that U-turns are very bad around the Post Office and he wonders who is enforcing laws. Mr. Dowling feels that law enforcement should be giving warnings to people. Councilmember Corbin-Romero suggested that Mr. Dowling go in to talk to City Manager Wallace about this issue.

EXECUTIVE SESSION

Councilmember Ruiz moved 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. §24-6-402(4)(b); those going into executive session will be Councilmembers Jolly Rose, Cuco Ruiz, Daryl Grasmick, Peggy Sue Corbin Romero, Mayor Susan Jung, City Attorney Bart Mendenhall and City Manager Shannon Wallace. Motion was seconded by Councilmember Rose. Voting results were:

YES Grasmick, Corbin-Romero, Rose, Ruiz, Jung
NO None
ABSENT Holland, Geist

Motion carried 5-0

Council went into executive session with City Attorney Bart Mendenhall and City Manager Shannon Wallace at 7:10 p.m. and ended their executive session at 7:37 p.m.

Following adjournment of executive session, Council went into regular session. No action was taken

APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Corbin-Romero moved to approve the Agenda and the Consent Agenda, with the addition to the Consent Agenda, that City Attorney Bart Mendenhall contact CIRSA to acquire a special investigator. Motion was seconded by Councilmember Rose. Voting results were:

YES Ruiz, Grasmick, Corbin-Romero, Rose, Jung
NO None
ABSENT Holland, Geist

Motion carried 5-0

Consent items approved were:

1. Liquor License renewal for Cork Brothers Liquor, 1200 Elm Avenue, Rocky Ford
2. Approval of Transfer of Marijuana License – Medicine Man Technologies
3. City Attorney Bart Mendenhall will contact CIRSA to acquire a special investigator

PUBLIC HEARING – ORDINANCE #952 – ADOPTION OF 2020 MODEL TRAFFIC CODE

Mayor Jung recessed the regular Council meeting and opened the Public Hearing for Ordinance #952. Shelly Bauer asked how many changes were being made by adopting the new model. City Manager Wallace answered that she was not certain of that number and that this adoption was being done at the request of the City of Rocky Ford Police Department. Shelly Bauer asked if she would be allowed to come to the City Hall to look at the 2020 Model Traffic Code. City Manager Wallace answered that she could. There were no other comments either for or against.

Councilmember Corbin-Romero moved to approve Ordinance #952, an Ordinance for the regulation of traffic by the City of Rocky Ford amending Chapter 8, Article 1, Section 8-1-10 of the Rocky Ford Municipal Code, adopting by reference the 2020 Edition of the "Model Traffic Code"; repealing all ordinances in conflict therewith; and providing penalties for violation thereof, on Second Reading. Motion was seconded by Councilmember Rose. Voting results were:

YES Grasmick, Corbin-Romero, Rose, Ruiz, Jung
NO None
ABSENT Holland, Geist

Motion carried 5-0

Mayor Jung closed the Public Hearing at 7:45 p.m. She then reconvened the regular City Council meeting.

APPROVAL OF ORDINANCE #950, ON SECOND READING

It was moved by Councilmember Ruiz and seconded by Councilmember Rose to approve Ordinance #950, an Ordinance authorizing the transfer of real property not used for any municipal governmental purpose, on Second Reading. Voting results were:

YES	Corbin-Romero, Rose, Ruiz, Grasmick, Jung
NO	None
ABSENT:	Holland, Geist

Motion carried 5-0

APPROVAL OF ORDINANCE #951, ON SECOND READING

Councilmember Ruiz moved to approve Ordinance #951, an Ordinance appropriating additional sums of money in the general fund, sewer fund and trash fund for the 2019 budget, on Second Reading. Motion was seconded by Councilmember Grasmick. Voting results were:

YES	Rose, Ruiz, Grasmick, Corbin-Romero, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

DISCUSSION REGARDING PROPERTIES FOR SALE

Main Street offer and Discussion from Museum Board

City Manager Wallace reminded Council that at the previous Council meeting, Council had discussion on an offer for the building and whether or not the City Council wanted to sell the property. The building is being used by the Food Bank, the Recycle Center and the Museum Board.

Emmett Davis, Volunteer Curator for the Museum, addressed the Council. Mr. Davis informed Council that the Museum needs room to inspect, assess condition, and preserve artifacts. The water canal has done a lot of damage to the Museum and that's why they want to move to the Main Street Building. They want to learn the history of each and prepare artifacts for exhibit. Mr. Davis mentioned that the Woodside Building, 200/202 S. Main Street, Rocky Ford, is an artifact and he feels that the building is a keystone to the Museum being able to create walking tours of the City. Discussion was held regarding some possible grants and whether or not the Museum Board has put any money into the building. The Museum Board is against the sale of this property.

City Manager Wallace has reached out to Norm Murphy and they were attempting to reach the prospective buyer to talk to them about the possibility of the City renting the building. City Manager Wallace has not heard back from them yet.

Councilmember Ruiz moved to table any discussion of the Main Street building to the next City Council meeting. Councilmember Grasmick seconded the motion. Voting results were:

YES	Rose, Ruiz, Grasmick, Romero, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

Real Estate Recommendations for Future Sales – (letter from Hancock Group)

City Manager Wallace asked Council to table this real estate matter to the next meeting, as well, so that all real estate can be discussed at the same time. The Council can choose whether or not to renew a contract with Norm Murphy, sign with the Hancock Group or sell the property themselves. Councilmember Rose moved to table this matter to the next meeting. The motion was seconded by Councilmember Ruiz. Voting results were:

YES	Rose, Ruiz, Grasmick, Romero, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

Discussion of vacant property – (letter from Cuco Ruiz)

City Manager Wallace asked Council to review the letter that was received by Councilmember Ruiz. City Manager Wallace asked the Council to consider this vacant property to decide if they should sell or gift the property. Discussion was held. Councilmember Corbin-Romero commented that the property should be opened up to other people and she asked if the property would be appraised. City Manager Wallace responded that if Council chooses to get in a contract with a realtor, then the realtor would appraise the property. Otherwise, the City would have to hire an appraiser. City Manager Wallace advised Council that the City has plenty of lots, small pieces of property, that the City needs to do something with.

Councilmember Ruiz informed the Council of what his intentions would be if he obtained the property. City Attorney Bart Mendenhall advised Council, that if they chose to gift or sell the property to Councilmember Ruiz, then they need to allow him time to review the matter for conflict of interest. Councilmember Corbin-Romero moved to table this matter to the last City Council meeting in February. Motion was seconded by Councilmember Rose. Voting results were:

YES	Grasmick, Corbin-Romero, Rose, Jung
NO	None
ABSENT	Holland, Geist
ABSTAIN	Ruiz

Motion carried 4-0, with one abstention

DISCUSSION OF BANKING TRANSACTION SIGNATURES

City Manager Wallace informed Council that the authorized signatures at the banks need to be updated. The current authorization is for Susan Jung, J.R. Thompson, City Clerk Cheryl Grasmick and City Manager Shannon Wallace. City Manager Wallace requests that Finance Director Azucena Estrada be added as an authorized signer. Motion was made by Councilmember Ruiz to add the City Finance Director Azucena Estrada as an authorized signer for the City's banking transactions. Motion was seconded by Councilmember Rose. Voting results were:

YES	Grasmick, Corbin-Romero, Rose, Ruiz, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

DISCUSSION OF PROPOSED NEW ORDINANCES

Public Works Director Rick Long advised Council that the City's side loader trash truck needs to be replaced. Rick Long reported that he has had discussion with the City Auditors and with City Manager Wallace about this issue and the City Auditors advice is that the City should finance it. Rick Long commented that the City has paid out a lot of money this year to make repairs to the trash truck. Rick Long advised Council that he would like to change from the side loader truck to a rear loader truck. Rick Long reported that the City of La Junta had a side loader truck a few years ago and they switched back to rear loader. According to Darren Adame in La Junta, La Junta saves over \$100,000.00 per year on fuel, tandem tires and servicing. The service on the higher technology trucks can only be handled in Denver and the rear loader truck can be

serviced locally. Rick Long shared some other bids for trash trucks with Council but he is requesting that Council approve the purchase and financing for a Load Master truck in the amount of \$254,536.00, with a five (5) year inclusive warranty. Discussion was held regarding the financing and possible interest charges. Rick Long informed Council that if they approve the purchase, then the City will have to change the totes that are being used for commercial accounts. Rick Long reported that he can buy all the totes that will be needed for commercial accounts as well as some big roll off dumpsters that the City can charge for citizens to use. These totes can be picked up with a rear load truck.

Councilmember Ruiz moved that Council approve the purchase of a Load Master Trash Truck and proceed with financing. Motion was seconded by Councilmember Grasmick. Voting results were:

YES	Rose, Ruiz, Grasmick, Corbin-Romero, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

NEW BUSINESS

Change Job Descriptions of: Park Maintenance Specialist I and II and Approve Job Description for Part-time Economic Development Specialist

City Manager Wallace explained that the change of job descriptions for Park Maintenance Specialist 1 and 11 will be only that they will no longer report to Public Works and will now report to Parks and Recreation. City Manager Wallace advised Council that she would like Council to approve a new job description for a Part-time Economic Development Specialist to be coordinated with Duane Gurule with Small Town Projects. The City has enough money in reserve to fund this job for one year. Councilmember Ruiz moved to approve the job description for a Part-time Economic Development Specialist and to approve the job description changes for the Park Maintenance Specialist I and II. Motion was seconded by Councilmember Rose.

Voting results were:

YES	Ruiz, Grasmick, Corbin-Romero, Rose, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

CITY ATTORNEY TO CONTACT CIRSA

Councilmember Ruiz moved to authorize City Attorney Bart Mendenhall to contact CIRSA to get an independent investigator. Motion was seconded by Councilmember Rose. Voting results were:

YES	Ruiz, Grasmick, Corbin-Romero, Rose, Jung
NO	None
ABSENT	Holland, Geist

Motion carried 5-0

CITIZEN PARTICIPATION

Larry Herrera 950 Franklin Drive talked to Council about a long standing problem at 950 Franklin and 950 ½ Franklin. Mr. Herrera reports that the drain across the street at 900 Hopkins and the corner of Lincoln has been flooding for eight (8) years. Mr. Herrera reported that the drain is totally blocked. Jane's World Day Care was located at 900 Hopkins but has now been moved to 950 ½ Franklin. The water is running from 900 Hopkins over to 950 and 951 ½ Franklin and flooding the back where the Day Care is. Mr. Herrera reported that the Fire Department had been there the day before and was testing their water hydrant. The Fire Department opened the hydrant and flooded everything. Mr. Herrera commented that every time it rains the

street floods. Mr. Herrera reported that the Public Work's crew has been out there to check it but have not fixed the issue. Mr. Herrera informed Council that he is worried that children may get hurt when all the water freezes in the street. City Manager Wallace reported that she will contact the Public Work's Department to find out what the issues are. City Manager Wallace commented that depending on the issues, the City will either fix it or if the cost is prohibitive then, Council will be informed.

CITY MANAGER REPORT/UPDATES

City Manager Wallace reported:

- Report on City Committees and if any new members were needed for vacancies. Shannon will put this matter on the Agenda for the next meeting
- Possibility of establishing a marijuana tax in the City of Rocky Ford
- Steve Savoie has a pest control business and he would like the City to consider doing business with him
- Shannon has been contacted regarding some programming that creates budgeting tools. Shannon believes that the program would make the process better for her and Azucena. The contact would like to give Council a presentation by phone. The cost would be \$11,000.00. This is a cost that the City cannot afford this year. Maybe the Council could look into budgeting for this in the next few years. Council would like to hear the presentation. Shannon will try to set a presentation for one of the Work Sessions.
- The Small Towns Project has applied for the Colorado Challenge Program. This program helps bring in businesses. They have been chosen and there will be some training April 14 – 17th for stakeholders in Colorado Springs. They would like one or more of the stakeholders to be a Councilmembers. Councilmember Ruiz and Councilmember Corbin-Romero volunteered to go to the training. There may be a grant that can be used for training costs but the City may have to pay for some of the training. Shannon Wallace, Duane Gurule, a business owner and some Councilmembers will be the stakeholders.

MAYOR/COUNCIL REPORTS/UPDATES

Councilmember Rose commented that the bridge going to the golf course looks really good.

Councilmember Ruiz shared with Council that he signed up with the Communities that Care Program. He is on the sustainability committee. He recently got trained in writing grants and he is very excited to see what's available.

Councilmember Grasmick reported that he is no longer on the Museum Board. He is interested in the OCLI/OPI Board if there should be a vacancy.

Mayor Jung asked Council if they would reserve the first meeting in March to recognize First Responders, Police Officers, Fire Department and Dispatch. Susan is on the Policy Committee for CML and she reports that they are very busy. Susan informed Council that she has a family emergency on February 13, 2020 which is the date that the Policy Committee is going to meet and wonders if any other Councilmember would like to go in her place. Voices of Rural Communities held meetings last Thursday and Friday. They are talking about water in the next 25 years for Colorado. No one seems to be worried about the Arkansas Valley Conduit. FMLA has been discussed. Action 22 wants to pick a project and work towards it.

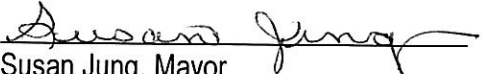
AGENDA ITEMS FOR CONSIDERATION AT FUTURE MEETINGS

- Departmental Reports
- School Board Session (March 10)
- Review City Ordinances
- Look into Pool Ordinance
- Review Personnel Policies

ADJOURNMENT

There being no further business, Mayor Jung adjourned the meeting at 9:12 p.m.




Susan Jung, Mayor


Rebecca Korinek, Deputy City Clerk