



ROCKY FORD CITY COUNCIL

May 28, 2019

Rocky Ford City Council and City Manager Shannon Wallace met with Southeast Mental Health Group Director J. C. Carrica in Council Chambers for a work session at 6:00 p.m. on Tuesday, May 28, 2019. Mr. Carrica presented his idea for leasing The IDEA Place from the City and possible uses that would benefit the community. Following this discussion, Police Chief Angelo Griego and Captain Carol Coates presented new Rocky Ford patrol officer Kevin Jaramillo, and newly promoted sergeants Kyle Moore and Tim Moore. Other items on the work session agenda were discussion of Country Club lease agreement for golf course, the Chamber of Commerce lease agreement for Gobin Building Complex and vacant lot problems in City. Public Works Director Rick Long was unable to attend the meeting to discuss the vacant lot registry. Country Club representative and representatives from Chamber of Commerce were both scheduled to appear but did not attend work session. City Clerk Cheryl Grasmick and several members of the community also attended.

Following the work session, Council met in regular session. Mayor Thompson called meeting to order. Those present at roll call were:

Mayor: J. R. Thompson

Councilmembers: Susan Jung, Cuco Ruiz, Rich Geist, Barbara Hunter

Staff: City Manager Shannon Wallace, City Clerk Cheryl Grasmick

Others present: Police Chief Angelo Griego, Captain Carol Coates, Henry Ongondi, Tom Martin, Gerri Clark, Peggy Sue Romero, Bethany Grap, Jolly Rose, Daryl Grasmick, Laura Thompson.

Mayor Thompson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Jung moved to approve the minutes from the regular **May 14, 2019** council meeting as presented. Motion was seconded by Councilmember Ruiz. Voting results were:

YES Jung, Ruiz, Geist, Hunter, Thompson

NO None

ABSENT Lee, Buck

Motion carried 5-0.

CITIZEN PARTICIPATION

Tom Martin approached Council regarding problem with young people riding bikes after dark, children out after curfew and young people driving ATVs and other similar vehicles on city streets. Mr. Martin was advised that City Code sets a curfew for underage children but the problem is with enforcement if the officer does not encounter the child. Users of golf carts and other small vehicles must have valid driver's licenses; City Manager Wallace will discuss this with Chief Griego.

Peggy Sue Romero asked if she personally had authority to write personal summons for code enforcement issues. She asked what a citizen could do if he or she observes another citizen violating city code. Police

Chief Griego advised her that the observing citizen should call police and file a complaint. The alleged offender could then be cited into municipal court.

Gerri Clark asked Council if there was a trash problem again. She observed a trash truck driver from Swink in her neighborhood, but he was only taking a trash bag or two off top and leaving the rest. Ms. Clark was advised that currently only one trash truck is running and the other is down for repair again. The Town of Swink was helping temporarily.

APPROVAL OF AGENDA AND CONSENT AGENDA

It was moved by Councilmember Jung and seconded by Councilmember Ruiz to approve the agenda and consent agenda as presented. Voting results were:

YES	Jung, Ruiz, Geist, Hunter, Thompson
NO	None
ABSENT	Lee, Buck

Motion carried 5-0.

Consent items approved were:

- 8 special event permits for beer gardens at Arkansas Valley Exposition and Fair at Fairgrounds Grandstand and Entertainment Pavilion from August 14, 15, 16, 17, 2019,
- renewal of hotel and restaurant liquor license for Fiesta Café, 400 North 11th Street, Rocky Ford,
- renewal of retail marijuana store license for Rocky Farms, 1709 Swink Ave, Rocky Ford,
- ratification of payment for phone line installation in new Public Safety Building by SECOM, and
- street closure for Rocky Ford Public Library on 10th Street between Maple and Sycamore Avenues on June 5, 2019 for street chalk drawings by children in Summer Reading Program.

PUBLIC HEARING- GRANTING RIGHT OF WAY OR VACATION OF STREET PORTION

Mayor Thompson recessed the regular meeting at 7:19 p.m. and convened the public hearing at 7:20 p.m. Purpose of the hearing was to gather comments either for or against granting a right of way or vacating a portion of street and alley on 1400 block of Chestnut Avenue in Rocky Ford to bring Mr. Ongondi's property into compliance with City zoning regulations. When Mayor Thompson called for comments either for or against this proposal, Thomas Martin came forward. After Mr. Martin was sworn in, he stated he did not understand the issue and questioned the purpose of hearing. Mayor Thompson explained that Mr. Ongondi of Bahari Investments, Inc. recently purchased the property and wished to subdivide a house from the rest of the mobile home property. When the property was surveyed, it was discovered that several of the mobile homes encroached onto the City right of way in the alley and on either avenue side of the property. The solution suggested by counsel was for the City to either grant a right of way or vacate a portion of the street and alley. Once this is done, Mr. Ongondi can continue with his subdivision request with Planning Commission. Mr. Martin stated that he did not have an issue with this and spoke for the request. Mr. Ongondi did not want to say anything. There were no other citizens speaking either for or against granting a right of way or vacating a portion of the street or alley. Mayor Thompson closed the hearing at 7:25 p.m. City Attorney Bart Mendenhall will draft an ordinance to resolve issue.

ROCKY FORD COUNTRY CLUB LEASE AGREEMENT FOR GOLF COURSE

Fred Grantham attended the May 14 Council work session to discuss the Country Club lease agreement. He was scheduled to be at the work session earlier this evening, but was unable to attend. Since the lease

agreement was discussed at the previous work session and there was no negative feedback received, Councilmember Ruiz moved to approve the lease agreement with the Rocky Ford Country Club for the golf course as presented and to authorize the Mayor to sign said agreement. Motion was seconded by Councilmember Geist. Voting results were:

YES	Jung, Ruiz, Geist, Hunter, Thompson
NO	None
ABSENT	Lee, Buck

Motion passed 5-0.

DISCUSSION REGARDING DOGS AT LARGE

Police Chief Angelo Griego gave statistics for animal control calls his department received in 2018. Of the 274 calls received, most were for dogs but a few were for cats or wild animals. Seventy-seven of the dogs picked up were returned to their owners, 3 were adopted out of the city shelter and 33 were sent to other shelters. The procedure for violations is to warn the first time, fine the second time, then give a larger fine the third time. There were approximately 8 repeat offenders. Council then discussed the problem of no dedicated code enforcement officer and possible solutions to problem. They will continue to consider issue.

NEW BUSINESS

Check Signers:

City Manager Wallace asked Council if they wished to consider adding another check signer for City banking accounts. Currently there are four people authorized to sign. Mayor Thompson noted that the last resolution named positions held by the check signers. During discussion, it was the consensus of Council not to change anything at this time.

Policy Review of Phones:

Council discussed the policy for City phones drafted by City Manager Wallace. It was noted during Council discussion that the positions listing and type of phones listed under paragraph entitled "End User Segmentation" should be omitted. Councilmember Ruiz moved to approve the City of Rocky Ford Mobile Device & Usage Policy with omission of the listing under "End User Segmentation" paragraph.

Councilmember Geist seconded motion. Voting results were:

YES	Jung, Ruiz, Geist, Hunter, Thompson
NO	None
ABSENT	Lee, Buck

Motion carried 5-0.

ZONING FEE INCREASE/CHANGING MUNICIPAL CODE

It was moved by Councilmember Ruiz and seconded by Councilmember Geist to amend the zoning permit application fee increase from \$25.00 to \$75.00 and to amend the Rocky Ford Municipal Code in the zoning section to reflect the fee increase. Voting results were:

YES	Jung, Ruiz, Geist, Hunter, Thompson
NO	None
ABSENT	Lee, Buck

Motion carried 5-0.

DISCUSSION REGARDING FENCING REGULATIONS

It was the general consensus of Council to continue the discussion regarding fencing regulations pending more information and to instruct City Attorney Mendenhall to review the fencing regulations.

STAFF REPORTS - None

City Manager Wallace already discussed her reports during work session and meeting, so there was nothing further to add.

MAYOR/COUNCIL REPORTS

Councilmember Jung reported on the CML Spring Outreach meeting that she and Councilmember Ruiz attended in Lamar on May 13. It was a good meeting and Kevin Bommer, new CML director, had a lot of good ideas. He discussed recent legislative session. Results of the 2019 Colorado legislation was also the topic of the recent Action 22 meeting she attended.

Councilmember Ruiz reported he missed the last Library Board meeting but asked about term limits on the boards. He was advised to check the ordinances that set up the various boards and committees.

Councilmember Hunter advised Councilmember Geist she received several comments from the community regarding the hours of the museum being somewhat irregular and that the museum looked neglected and untidy. Museum Board President Daryl Grasmick reported that museum curator was recently hospitalized and forgot to inform the board. Summer hours at the museum, from Memorial Day to Labor Day, are Wednesday to Friday, 1:00 p.m. to 5:00 p.m., Saturday from 10:00 a.m. to 2:00 a.m.; arrangements may be made for other times. Mr. Grasmick said that people who need to access the museum at other times should contact Steve Carlile or himself through City Hall to make arrangements. Information posted on the Museum door will be checked and updated. Old, ill-fitting windows at the museum allows dirt to be blown in. City Manager Wallace will check on the status of the work order to work on the windows.

Councilmember Hunter reported that Tree Board President Phyllis Adkins resigned to moved closer to her family in Texas. She was very active and will be greatly missed by the board and the community. Tree Board member Jerry Sitton has offered to fill the post while more members are recruited. Councilmember Hunter advised Council of the Tree Board's concern that the newly planted trees are not being watered sufficiently. Audience member Peggy Sue Romero reported that Nash Lucero is voluntarily taking care of a small park on 12th Street across from Pioneer Health Care and would be a good addition to the board. The Tree Board meets every third Monday of each month at 5:00 p.m. at City Hall, if anyone is interested.

Mayor Thompson reported on the recent Arts Commission meeting. Attendance is up at the Grand Theater. Play chosen by the commission for this summer's student musical is "Sister Act", based on the Whoopi Goldberg movie. Thirty students signed up for the musical.

CITIZEN PARTICIPATION

Daryl Grasmick approached Council regarding Crystal Lake and its condition. He asked Council to consider revitalizing project so it can once again become a community asset. Mr. Grasmick also noted there is a tree at the Fairgrounds that has curled around a fence and needs to be removed. He pointed out that 2/3 of the growth in mature trees is underground.

Tom Martin asked City Manager Wallace to accompany him to his damaged property in 400 block of South Main. They took photographs of the damage while they were there. Even though it has been several years since the fire, the property owner adjoining his property has not repaired his damage to date. Mr. Martin advised Council the building is very dangerous and something needs to be done. City Manager Wallace will review the City Code and move forward with issue.

Peggy Sue Romero stated that she personally had a hard time seeing Council spend money on a golf course that was not used by many residents. She feels that if Council is going to spend tax money, they need to spend it for the many and not the few. Mrs. Romero also inquired what Council's liability is for not handling the vicious dog issue.

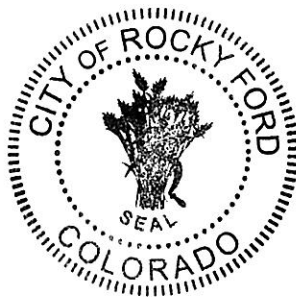
Jolly Rose, local resident, reported that she lives on the south end of Main Street and sees a lot of people going up to use the golf course

AGENDA ITEMS FOR CONSIDERATION AT FUTURE MEETINGS

- Ordinance to approve continued 1% increase in sales tax
- Department Reports
- Chamber of Commerce Lease Agreement for Gobin Building Complex
- Joint work session with R2 School Board
- Review City Codes and suggestions where to start
- City property list for sale
- Employee Benefits

ADJOURNMENT

Councilmember Geist moved to adjourn. There being no further business, Mayor Thompson adjourned meeting.





J. R. Thompson, Mayor



Cheryl Grasmick, City Clerk