

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, January 7, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Councilmember	Mattie, presiding
	Councilmembers	Bolton, Bonato, Miles
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett
Absent:	Mayor Pro-Tem	Velasquez
	Councilmember	Shew

The pledge of allegiance was recited.

**APPROVAL OF THE MINUTES.** Regular Meeting of December 17, 2013 and Special Meetings of December 17, 2013 and December 19, 2013. A motion to approve the minutes as presented was made by Councilmember Bolton and seconded by Councilmember Miles. The motion carried unanimously upon roll call vote.

**UNFINISHED BUSINESS.** Public hearing for consideration of an ordinance increasing business license fees and modifying the term of the same. Councilmember Mattie declared the public hearing open and called for comment for or against the ordinance. There being none, the hearing was closed.

Second reading of an ordinance increasing business license fees and modifying the term of the same. The ordinance title was read aloud. Councilmember Bolton asked City Manager Acre if he knows the number of licenses there are and the amount of revenue that would be realized from this increase. City Manager Acre answered that he will have to get that information for her. A motion to approve the ordinance on second reading was made by Councilmember Bolton and seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously.

ORDINANCE NO. 1951

AN ORDINANCE INCREASING CITY OF TRINIDAD BUSINESS LICENSE FEES AND  
MODIFYING THE TERM OF THE SAME

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**BILLS.** A motion to approve payment of the bills was made by Councilmember Bolton. The motion was seconded by Councilmember Bonato. Roll call was taken on the motion and it carried unanimously.

**PAYROLL,** December 21, 2013 through January 10, 2014. Councilmember Bolton noted a substantial amount of money paid out for vacation and sick leave and asked if the City lost an employee. City Manager Acre said it was for someone who did a buyout. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Miles. Roll call was taken and the motion carried unanimously.

City Manager Acre read aloud plaques that were to be presented this evening to outgoing Mayor Pro-Tem Linda Velasquez and Councilmember Franklin Shew in appreciation for their service to the City. He said he enjoyed working with them and would make sure they receive the plaques.

**ADJOURNMENT.** There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Bolton and seconded by Councilmember Miles. The meeting was adjourned by unanimous voice vote of Council.

ATTEST:

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ANTHONY MATTIE, Councilmember

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AUDRA GARRETT, City Clerk

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, January 7, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

The Honorable Bruce A. Billings, Las Animas County Court Judge, administered the Oath of Office to Joseph A. Reorda as Mayor, Liz Torres, Anthony Mattie, Pat Fletcher and Michelle Miles as Council Members.

*PROCLAMATION – LINDA BARRON DAY – JANUARY 8, 2014.* Garrison Commander Col. Dave Grosso, Ft. Carson, addressed Council. He thanked them for the privilege and honor of presenting Linda Barron with a certificate recognizing her as a great American, having spent a lifetime of service to others. Ms. Barron credited God and teamwork for her success in those efforts. She provided a brief history of her life. Councilmember Mattie read aloud the Proclamation issued by the Mayor and City Council naming January 8, 2014 as Linda Barron Day for her service to the community, veterans and active military. John Rios, Local VFW Commander, presented Ms. Barron with a service pin.

There were present:	Mayor	Reorda
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

**APPOINTMENTS.** Appointment of Mayor Pro-Tem. Mayor Reorda opened nominations. Councilmember Fletcher nominated Councilmember Carol Bolton as Mayor Pro-Tem. The nomination was seconded by Councilmember Torres. Councilmember Miles nominated Councilmember Joe Bonato. The nomination died for a lack of a second. Upon roll call vote (taken after the SCEDD appointment), the motion carried unanimously excepting Councilmember Bolton who abstained. Councilmember Bolton thanked Council and said she is very honored to serve in that position.

Appointment of Municipal Judge. Councilmember Bolton moved to re-appoint John E. Garcia as Municipal Judge. The motion was seconded by Councilmember Mattie and carried unanimously upon roll call vote. The Honorable Bruce A. Billings, Las Animas County Court Judge, administered the Oath of Office to John E. Garcia as Municipal Judge.

Appointment to South Central Council of Governments Board (member of Council, coincident with term (currently held by Councilmember Anthony Mattie)). Mayor Reorda stated that he believed in the past the former mayors appointed themselves to the Board. Councilmember Mattie expressed his strong interest in continuing to serve on this Board. Mayor Reorda agreed. He stated that Council needs the present support to continue, referring to the full audience. He added that he hoped the philosophy of Council is that it is not about me, or you, it is about us and the people who put us here. Sometimes we will make mistakes, but Council needs support no matter what they do. This town has gone through grief and sadness. Now it is over and we need to say good things about Trinidad and support and help each other. Everyone will be treated equally. He thanked those in attendance for coming. Terry Sears suggested that when Council needs to hold an executive session they do so at 6:30 p.m. rather than 7:00 p.m. so people will not have to sit and wait. Mayor Reorda said he was going to ask for that motion, to set aside a day and time for executive session. Councilmember Bolton reminded that she had made that suggestion several months back and said Council has been attempting to do that. A motion to re-appoint Councilmember Mattie to the SCCOG Board was made by Councilmember Fletcher and seconded by Councilmember Bolton. The motion carried unanimously upon roll call vote.

Appointment to the Southern Colorado Economic Development District (SCEDD) Board of Directors (Louis Fineberg, Planning Director). Councilmember Mattie nominated Louis Fineberg to the Board and Councilmember Bolton seconded the motion. Roll call was taken and the motion carried unanimously.

Appointment to the Arkansas River Power Authority Board of Directors (formerly held by Franklin Shew). Councilmember Mattie moved for the appointment of Councilmember Pat Fletcher to fill the unexpired term of Franklin Shew on the ARPA Board. Councilmember Miles seconded the motion. Upon roll call vote, the motion carried unanimously.

Appointment to the E911 Authority Board. A motion to re-appoint Nick DeBono to the Board was made by Councilmember Bonato and seconded by Councilmember Fletcher. Roll call was taken and the motion carried unanimously.

Appointments to the Arts & Culture Advisory Commission. Councilmember Bolton made a motion to re-appoint Marilyn Leuszler and Bonnie Canizaro to the Arts & Culture Advisory Commission. Councilmember Miles seconded the motion, which carried by a unanimous roll call vote.

Appointment to the Parks & Recreation Advisory Committee. A motion to re-appoint Cherie Kollander to the Committee was made by Councilmember Bolton and seconded by Councilmember Fletcher. Upon roll call vote, the motion carried unanimously.

**PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN.** Mayor Reorda thanked the members of the VFW who were present for being in attendance.

**COUNCIL REPORTS.** None.

**REPORT BY CITY MANAGER.** Congratulations and welcome. City Manager Acre congratulated and welcomed the new members of Council. He also wished Council a happy new year and said he looks forward to a good new year.

Office hours. City Manager Acre informed Council that Doris Morgan from Congressman Gardner's office will hold 'office hours' at City Hall tomorrow from 2:30 p.m. to 3:30 p.m.

**Commercial Street Project.** City Council was advised by City Manager Acre of a Commercial Street business owners' meeting with staff on January 14<sup>th</sup> at 5:30 p.m. at 210B N. Commercial Street. He explained that he was contacted by a representative of the business owners wanting the communication regarding the Commercial Street Project. Staff had also been thinking about having a meeting. This was the date they agreed upon. Councilmember Miles stated that she has been approached about alternative parking on Commercial Street when the streets are torn up. City Manager Acre said he imagines it will come up and will work with business owners to minimize the impact on them. He has talked to the radio stations about doing some public service announcements and he's discussed the potential of a billboard that reminds people that we are still open for business. Councilmember Miles suggested the City look at the lot across from Smoker Friendly for some accommodation. City Manager Acre said he has had an initial discussion with the owner of the lot who was amenable to leasing that lot similar to how the City does other lots. Mayor Reorda suggested people should park away from where they are going and walk, and employees of the downtown businesses definitely do so.

**REPORT BY CITY ATTORNEY.** Medical Marijuana Ordinance. City Attorney Downs reminded Council that about a week ago he provided Council with a copy of a lengthy ordinance regarding medical marijuana regulations. He asked Council to ignore that ordinance. Andy Nathan, a CIRSA lawyer, has told him that Trinidad needs a simpler and easier ordinance, like Cortez, Colorado's ordinance. He said he'd try to get a new ordinance to Council in this Friday's packet.

**MISCELLANEOUS BUSINESS.** Retail liquor store license renewal request by Linda T. Anderson Barron d/b/a Mountain Liquor & General Store at 1144 Robinson Avenue. Linda Barron was present on behalf of the renewal request. A motion to approve the license renewal was made by Councilmember Bolton. Councilmember Miles seconded the motion. Roll call was taken on the motion which carried unanimously.

Designation of public places for posting of notice of meetings. Councilmember Bolton said that City Hall and the Carnegie Public Library has served the City well for this purpose for the past 20 years and moved that they continue to be the designated public places for posting of meeting notices. Councilmember Bonato seconded the motion which carried by a unanimous roll call vote.

Appeal from a decision of the Planning, Zoning and Variance Commission filed by Lex and Alyce Vollmer, Application #2013-15, Request for variance to place an accessory structure with a 4/12 roof-pitch and to exceed the allowable square footage of accessory structure, located at 203 E. North Avenue. Councilmember Bolton made a motion to set this matter for public hearing on February 4, 2014 at 7:00 p.m. Councilmember Mattie seconded the motion. Upon roll call vote the motion carried unanimously excepting Councilmember Bonato who abstained.

Acceptance of Affidavit of Surrender of the state and local liquor licenses of LMR, Inc. d/b/a Purgatoire & A Little Catering Company. A motion to accept the affidavit was made by Councilmember Miles and was seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously, however with Councilmember Torres recusing herself from the vote.

**EXECUTIVE SESSION.** For discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402(4)(d) – Discussion of policies regarding future security measures; and for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Informal discussion regarding City Manager/City Council relationship; and 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) – Discussion regarding ARPA mediation. A motion to enter into executive session for the stated purposes was made by Councilmember Mattie and seconded by Councilmember Bolton. Upon roll call vote the motion carried unanimously and the executive session ensued at 8:00 p.m. The executive session was electronically recorded as required by the Open Meetings Law except that portion constituting legal advice. Upon conclusion of executive session at 9:35 p.m., the meeting resumed.

*I, Les S. Downs, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 7th day of January, 2014, was permissible under CRS Section 24-6-402 (4)(b).*

*As City Attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.*

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 Les S. Downs  
 City Attorney

**ADJOURNMENT.** There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Bolton and seconded by Councilmember Mattie. The meeting was adjourned by unanimous voice vote of Council.

ATTEST: \_\_\_\_\_ JOSEPH A. REORDA, Mayor

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 AUDRA GARRETT, City Clerk