

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, February 18, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

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

The pledge of allegiance was recited.

**APPROVAL OF THE MINUTES.** Regular Meeting of February 4, 2014. A motion to accept the minutes as written was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried unanimously upon roll call vote.

**PUBLIC HEARING.** Transfer of ownership of a retail liquor store license filed by Elizabeth Jameson d/b/a Drop City Liquor at 155 Elm Street (formerly Johnny M. & Elizabeth A. Jameson d/b/a Drop City Liquor). Mayor Reorda declared the public hearing open and called for comments for or against the transfer. There were none. Ms. Jameson's presence was verified. A motion to approve the transfer of ownership as requested was made by Councilmember Bolton and seconded by Councilmember Torres. Upon roll call vote, the motion carried unanimously.

**PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN.** Thomas Poss addressed Council and handed out information regarding panhandlers. Mr. Poss said he wished to speak about the panhandlers at the south end of town which he described as sickening, bad for business and a black eye to the City. Tourists don't like panhandlers and neither do the people of Trinidad. Mr. Poss said in working at Walmart he hears tourists complain and wonder why Trinidad allows it. The panhandlers live in mobile homes, trailers, the hotels that have weekly rates. All they are after is the money. They come into Walmart and buy computers, cell phones and other electronics. There is one who after panhandling drives off in a three-year old car. Mr. Poss said he read on the internet about a panhandler in Colorado Springs that has held up the same sign for four years that reads his car is broken down and he needs money to fix it. Most panhandlers smoke cigarettes which aren't cheap. He opined that with all of the social service agencies who provide aid to people, there's no need for panhandling in Trinidad. He noted that the first page of the handout is mostly about downtown Pueblo. Aurora and Arvada have issued ordinances that prohibit panhandlers by interstate on/off ramps or close by. He said Trinidad should pass such an ordinance. The neighboring businesses on the south end of town don't like the panhandlers there either. Mr. Poss said there are three laws they are kind of breaking – they are not paying taxes on what they get; they are not paying local, state or federal tax; they are scamming people saying they are homeless and hungry and they are not. He asked Council to adopt an ordinance to disallow panhandlers near the interstate for the many reasons he mentioned. Mayor Reorda suggested he approach the County Commissioners as well.

Thomas Murphy signed in to speak about employment contracts but said he would file a freedom of information request before he addressed Council.

Tom and Linda Perry addressed Council regarding the upcoming Philanthropy Phair and Community Event to be held at the A. R. Mitchell Museum on Saturday, March 8<sup>th</sup>. They handed out a flier to each Council member. Mr. Perry said as the flier indicated this will be a gathering of between 40 and 50 local non-profits with tables of information about their organization and their programs. He said it will be a festive event with a cash bar, door prizes and snacks. The public can visit with and learn about the non-profits as well. Linda Perry invited Council to attend the event and share the invitation with their friends to attend. It's an opportunity for the community to learn about each other. This is a building piece for Rural Philanthropy Days.

**COUNCIL REPORTS.** Council members Mattie, Fletcher, Torres and Bonato had nothing to report.

Councilmember Bolton reported on her travels last Wednesday and Thursday with the Mayor and City Manager to Denver. She said they gave a presentation to the Legislature on Wednesday regarding the Bill to preserve the Southwest Chief. Everyone voted in favor and it will go to the House Appropriations Committee next. On Thursday she said they attended the CML Legislative Seminar.

Councilmember Miles reminded Council that she will be out of town next Tuesday and will consequently miss the work session. Councilmember Mattie also stated he would be unavailable for that work session.

Mayor Reorda said he hasn't yet been informed about the Tree Committee, except that they will be planting seeds next month.

**REPORTS BY CITY MANAGER.** Workshops. City Manager Acre reminded Council that he attended the CML Legislative workshop last week and told them that he stayed over Friday to attend the CML Policy Committee meeting that morning. They were updated on several bills CML is tracking, which he said he would provide to Council in writing. The Committee meets once or twice per year. The information on the bills can also be found on the CML website, under the Statehouse Report. The Policy Committee approves and recommends positions that staff should be taking on behalf of local government and then CML updates the cities on the bills the cities should be watching. One coming up is regarding the state income tax credit for renovation of historic buildings. It has not yet been introduced.

**REPORTS BY CITY ATTORNEY.** None.

**UNFINISHED BUSINESS.** Public hearing for consideration of an ordinance adjusting the City of Trinidad landfill fees. City Manager Acre recommended to Council that the ordinance be tabled at least for a couple of weeks. He said that in talking with landfill personnel and some of the haulers, they would like to add a flat fee for roll-off containers. He further recommended that it be tabled to March 18<sup>th</sup>. A motion to table the ordinance was made by Councilmember Mattie and seconded by Councilmember Bonato. Roll call was taken and the motion carried unanimously.

Second reading of an ordinance adjusting the City of Trinidad landfill fees. This item was tabled.

ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY OF TRINIDAD LANDFILL FEES

Public hearing for consideration of an ordinance revising the City's water rate schedule and the City's plant investment fees. Mayor Reorda declared the public hearing open and called for comments for or against the water fee increases. There were none and the hearing was closed.

Second reading of an ordinance revising the City's water rate schedule and the City's plant investment fees. The ordinance title was read aloud. A motion to approve the ordinance on second reading was made by Councilmember Bolton. The motion was seconded by Councilmember Miles. Roll call was taken and the motion carried unanimously.

ORDINANCE NO. 1952

AN ORDINANCE REVISING THE CITY'S WATER RATE SCHEDULE AND THE CITY'S PLANT INVESTMENT FEES

Public hearing for consideration reading of an ordinance adjusting the City's rates for sewer service. Mayor Reorda declared the public hearing open and called for comments for or against the ordinance. There were none and the hearing was closed.

Second reading of an ordinance adjusting the City's rates for sewer service. The ordinance title was read aloud. A motion to approve the ordinance on second reading was made by Councilmember Bolton. The motion was seconded by Councilmember Miles and carried unanimously upon roll call vote.

ORDINANCE NO. 1953

AN ORDINANCE ADJUSTING THE CITY'S RATES FOR SEWER SERVICE

**MISCELLANEOUS BUSINESS.** Special event permit request by Trinidad & Las Animas County Chamber of Commerce at 150 E. Main Street for March 8, 2014 (A. R. Mitchell Museum for the Philanthropy Phair & Community Celebration). Tara Marshall on behalf of the Chamber of Commerce addressed Council. She said this application is for the event Tom and Linda Perry just spoke of. This event is designed to get an investment in the local non-profits so the money stays in our community. She said the Chamber will be donating their service of working the cash bar for the event. Mayor Reorda asked about the tables for the non-profits. Ms. Marshall said the City will have a Welcome Center table to talk about volunteering; the Chamber will have one to recruit members and volunteers; the Creative District likewise will have a table to talk about what the Creative District is doing. The goal was to have 25 non-profits participate and 40 have already signed up. She asked Council to please come out and support the event. A motion to approve the special event permit was made by Councilmember Bolton and seconded by Councilmember Miles. The motion carried unanimously upon roll call vote.

Retail liquor store license renewal request by RJ Sales, inc. d/b/a RJ's Discount Liquor at 2132 Freedom Road. A motion to approve the license renewal was made by Councilmember Miles and was seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously.

Tastings permit renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street. Councilmember Bolton made a motion to approve the tastings permit renewal and the motion was seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously excepting Councilmember Miles who abstained.

New hotel and restaurant liquor license application filed by Ristras Restaurant & Cantina, LLC at 510 E. Elm Street. Councilmember Bolton moved to establish the tentative neighborhood boundary as the corporate City limits and set the application for public hearing at 7:00 p.m. on April 1, 2014. Councilmember Miles seconded the motion. Roll call was taken and the motion carried unanimously excepting Councilmember Torres who abstained.

Resolution supporting application to the Great Outdoors Colorado Paths to Parks Land Acquisition Grant Program to obtain funding to acquire approximately one hundred fifty (150) acres of land along the Purgatoire River between the City of Trinidad and Trinidad Lake State Park for the purpose of establishing the Old Sopris Trail. A motion to adopt the resolution was made by Councilmember Mattie and seconded by Councilmember Fletcher. Upon roll call vote the motion carried unanimously and the resolution was adopted.

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, SUPPORTING APPLICATION TO THE GREAT OUTDOORS COLORADO PATHS TO PARKS LAND ACQUISITION GRANT PROGRAM TO OBTAIN FUNDING TO ACQUIRE APPROXIMATELY ONE HUNDRED FIFTY (150) ACRES OF LAND ALONG THE PURGATOIRE RIVER BETWEEN THE CITY OF TRINIDAD AND TRINIDAD LAKE STATE PARK FOR THE PURPOSE OF ESTABLISHING THE OLD SOPRIS TRAIL

Authorize execution of a letter of support for the Fishing is Fun Program Grant for Purgatoire River Reach 5 Habitat Improvement Project. Councilmember Bolton moved for the authorization of the execution of the letter of support. Councilmember Bonato seconded the motion. Roll call was taken and the motion carried unanimously.

Resolution supporting application to the Great Outdoors Colorado Local Government Park, Outdoor Recreation and Environmental Education Grant Program to obtain funding to make renovations and additions to Central Park. A motion to adopt the resolution supporting the GOCO application was made by Councilmember Miles and seconded by Councilmember Fletcher. Upon roll call vote the motion carried unanimously.

## RESOLUTION NO. 1424

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, SUPPORTING APPLICATION TO THE GREAT OUTDOORS COLORADO LOCAL GOVERNMENT PARK, OUTDOOR RECREATION AND ENVIRONMENTAL EDUCATION GRANT PROGRAM TO OBTAIN FUNDING TO MAKE RENOVATIONS AND ADDITIONS TO CENTRAL PARK

Resolution adopting the City of Trinidad Old Sopris Trail Master Plan. Councilmember Bolton made a motion to approve the resolution adopting the City of Trinidad Old Sopris Trail Master Plan. Councilmember Fletcher seconded the motion which carried by a unanimous roll call vote.

## RESOLUTION NO. 1425

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, ADOPTING THE CITY OF TRINIDAD OLD SOPRIS TRAIL MASTER PLAN

Consideration of Addendum to Contract with Black & Veatch for the Engineering Design of the Water Treatment Plant Improvements. A motion to approve the Addendum to the Black & Veatch Contract was made by Councilmember Bolton and seconded by Councilmember Torres. Upon roll call vote the motion carried unanimously.

First reading of an ordinance repealing and re-enacting Section 9-4 of the Trinidad City Code for the purpose of prohibiting the issuance of a business license to any person seeking to carry on or engage in any business within the corporate limits of the City of Trinidad that is in violation of any law of the State of Colorado, and setting a hearing date for consideration of said ordinance. Councilmember Bolton introduced the ordinance and it was read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on March 4, 2014 was made by Councilmember Bolton and seconded by Councilmember Fletcher. Roll call was taken on the motion, which carried unanimously.

## ORDINANCE NO.

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 9-4 OF THE TRINIDAD CITY CODE FOR THE PURPOSE OF PROHIBITING THE ISSUANCE OF A BUSINESS LICENSE TO ANY PERSON SEEKING TO CARRY ON OR ENGAGE IN ANY BUSINESS WITHIN THE CORPORATE LIMITS OF THE CITY OF TRINIDAD THAT IS IN VIOLATION OF ANY LAW OF THE STATE OF COLORADO

First reading of an ordinance establishing regulations and licensing requirements for medical marijuana businesses, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Miles. Councilmember Bonato commented that everyone probably knows where he stands with respect to the ordinance. He said he wants people to know that he doesn't have anything against medical marijuana if it will help people with seizures and pain from other diseases. He said his concern after attending the Council meetings and listening to people is primarily location, namely Cedar Street. He said there are three great things in that vicinity – Cimino Park, a beautiful bank and a Catholic church. He said he doesn't know what to say other than it is a real concern for him. He said his other concern is with the proposed number of licenses– five. For a population of 8,000 people he thought that number of licenses would be a problem. He suggested two or three is more reasonable. The ordinance was read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on March 4, 2014 was made by Councilmember Bolton and seconded by Councilmember Mattie. Roll call was taken on the motion, which carried by a majority with Councilmember Bonato casting the only dissenting vote.

## ORDINANCE NO.

AN ORDINANCE ESTABLISHING REGULATIONS AND LICENSING REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES

FEBRUARY 18, 2014

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

**PAYROLL,** February 1, 2014 through February 14, 2014 and February 15, 2014 through February 28, 2014. A motion to approve the payroll was made by Councilmember Miles and seconded by Councilmember Bolton. Roll call was taken and the motion carried unanimously.

**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 Fletcher. The meeting was adjourned by unanimous voice vote of Council.

ATTEST:

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JOSEPH A. REORDA, Mayor

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AUDRA GARRETT, City Clerk