

TOWN OF LA JARA

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Regular Meeting
Date: June 9, 2016

A permanent set of these minutes are maintained in the Town Clerk's Office. Approved Minutes are also available on the web at www.colorado.gov/townofajara

Call to Order:

The Regular Meeting of the La Jara Town Board of Trustees was called to order by Mayor Zaragoza at 7:00 p.m.

Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Zaragoza.

Roll Call:

Present were Trustees: Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Absent: Trustee Gallegos

A quorum was present.

Also present were: Town Attorney Ray Valdez, Town Manager Dennis Koenig, Chief Dan Martinez, Town Clerk Shawn Pagnotta, Deputy Clerk Krista Ross and Maintenance Supervisor Matt Herrera.

Approval of Agenda

Trustee Salazar moved to approve the Agenda and Mayor Pro Tem Medina seconded.

Vote Results:

Ayes: Trustees Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Approval of Consent Calendar

Mayor Pro Tem Medina moved to approve the Consent Calendar and Trustee Valdez seconded.

Vote Results:

Ayes: Trustees Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Recognition of Scheduled Public Comment

Chief Martinez presented a Good Samaritan Award to Levi Medina. Chief Martinez stated on May 11th Medina help apprehend a fleeing suspect. Chief Martinez thanked him for his bravery and assistance. Medina stated it was an honor and privilege to help. The Town Board gave a round of applause, Mayor Zaragoza thanked him for coming.

Mayor Zaragoza presented Larry Buhr with a plaque that had been found from years past. Mayor Zaragoza thanked him for all of his years of dedicated service to the town.

Krista Ross Deputy Clerk reported on the upcoming music event. She asked permission to make this the first annual concert series in the park and to invite food vendors to participate at the event. Trustee Valdez suggested creating a Facebook page. The Town Board agreed that this event was a great idea.

Recognition of Unscheduled Public Comment

No Comments

Town Manager's Report:

Town Manager Koenig stated there are new laws from legislation that will be affecting La Jara. He discussed HB 16-1046 Designated Emergency Response Authorities, HB 16-1117 Record Custodial Interrogations, HB 16-1262 Law Enforcement Background Checks before Employment, HB 16-1263 Racial Profiling, Prohibition HB 16-1311 Procedures When Orders Require Monetary Payments. Koenig stated that we had an application for a building permit for the warehouse behind Jack's Market on Broadway. He stated the warehouse will supposedly be a hemp growing facility. Koenig asked the Town Board what they would like to do with this matter. Mayor Pro Tem Medina asked what the growers plan was. Koenig stated the building permit that was issued gives the town access to the facility. He stated it takes an actual botanist to distinguish the difference between hemp and marijuana. The grower will eventually have to get water and sewer to the facility. Koenig stated the owner of this building also owns a few grow operations in Center, but they will have to get all the proper inspections in order to grow hemp. Mayor Pro Tem Medina asked Chief Martinez what his thoughts were on this; Martinez stated this could be a potential hazard. Trustee Salazar asked about plants that are grown just for seed. Koenig stated the grower will have to go through the Planning and Zoning Committee in order to be approved for this type of business. Koenig said the state has inspectors that go in and inspect the plants ensuring that hemp is actually being grown and nothing else. Koenig stated the board is the voice of the community and he recommends having a community meeting. Trustee Salazar stated a community meeting would be the optimum way to reach a decision. Koenig stated he would like to implement a franchise fee on this type of business. Trustee Salazar stated there would need to be testing the plants on a regular basis. Mayor Pro Tem Medina asked how often inspectors would be available. Koenig stated he has been in contact with the state inspectors. Trustee Salazar asked who owned it and what zoning area the property is located. Koenig stated the owners name as Kolson Lucas and the property is zoned industrial. Town Attorney Valdez discussed meets and bounds of a franchise monopoly campaign, with exploring percentages of revenue. He explained a similar situation with Jack's Market when they attempted to apply for a liquor license. He stated Town Hall was packed with citizens against allowing the liquor license. Attorney Valdez stated the citizens of the community have a right to know. Chief Martinez spoke with Chief Oakes from Alamosa regarding the owner and was told by Chief Oakes that this same person also owns the Wake and Bake restaurant in Alamosa. Chief Oakes stated the owner provides housing to people in the apartment above the restaurant in exchange for labor in the restaurant.

Koenig stated the sales tax for the town was down for the first three months, but was coming back up quickly.

Koenig stated there will be a small community's work shop in Brighton Colorado on August 18th. Mayor Zaragoza asked what the meeting will canvas. Koenig stated it would cover budget, and economic development.

Koenig stated the new Subway broke record sales in the nation the first week in business and state they were doing great.

Mayor Zaragoza stated the clean up process for Cornum's house fire c has already taken eight months and wondered if they were facing the same issues with getting approval the state as we did when trying to get the fire debris cleaned up on Main Street. Mayor Pro Tem Medina asked about the 309 Main property and

if any word has been spoken of what they plan to do with it. Koenig stated the owner of Alta Fuels wanted to put in a truck stop. Mayor Zaragoza stated he had been doing interviews at the court house and La Jara is the only town to adopt a building code.

Approval of the Town Managers Report

Mayor Pro Tem Medina moved to approve the Town Managers Report and Trustee Valdez seconded.

Vote Results:

Ayes: Trustees: Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Town Attorney's Report:

Attorney Valdez stated he had an issue that he would like to discuss with council in executive session.

Motion to go into Executive Session:

Trustee Salazar made a motion to go into executive session for a conference with the City/Town Attorney for the purpose of receiving legal advice on a specific legal question under C.R.S Section 24-6-402(4)(b); Trustee Espinoza seconded.

Vote Results:

Ayes: Trustees: Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Mayor Zaragoza stated "The time is 8:40 p.m., and the executive session has been concluded. The participants of the Executive session were Town Clerk Pagnotta, Town Attorney Valdez, Town Manager Koenig, Trustee Valdez, Trustee Salazar, Trustee Espinoza, Trustee Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record." Seeing none the regular meeting may continue.

Town Manager Koenig stated he will be working to find answers regarding the growing of hemp. Mayor Zaragoza asked the council when would be a good time to hold the community meeting regarding hemp. He stated he preferred it be before the next council meeting in August.

Approval of the Town Attorneys Report:

Trustee Salazar moved to approve the Town Attorneys report and Trustee Valdez second.

Vote Results:

Ayes: Trustees: Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Town Board of Trustees Comments:

Trustee Valdez- He stated the Fire Department purchased a new truck from Alamosa, and they will set some dates for equipment training soon. He asked what happened in regards to Mr. Wehe and Jade communications. Trustee Salazar asked if there was a vote that had to go through stating municipalities can go through other businesses that carry broadband or do it themselves. Mayor Pro Tem Medina asked how or what would be an option. Trustee Salazar asked what would the bill do for us if we can put the

broadband in ourselves or take a look and explore those options. Town Manager Koenig questioned the possibility of community access to the main broadband connection.

Trustee Espinoza- She stated there should be some kind of PSA about Mr. Medina, the Good Samaritan, the on the town web site or Facebook. She asked if there has been any word from the Farmers market committee. She stated she would hate to see it go away. Town Manager Koenig stated if we want to have a farmers market we would have to do it ourselves. Trustee Espinoza asked if that would have to be under our own separate insurance, Koenig stated there would have to be some sort of insurance.

Espinoza asked if we had ever looked at the DOLA Main Street Program, she asked if anyone ever thought about becoming an affiliate for down town enhancement grants. Koenig stated the town inquired about a few years ago, but the program required \$15,000.00 to even start applying. Koenig stated things of that nature could be brought up at the CML Conference and see if they can't get some meetings set up for some of those processes and get ideas on how to get them off the ground. She stated Grand Lakes received a down town enhancement grant where the building owners received \$1,000.00 to help reface their buildings. There is also a possibility to use historical society monies. Trustee Espinoza stated she would like to pursue these types of programs for La Jara. She stated she would like to spend more time getting involved in these projects once summer slows down.

Trustee Espinoza stated she recently purchased several fireworks and asked if they could be displayed on Glory Days. She asked what the regulations were on lighting them in town. The Town Council agreed the fireworks were a great idea and they will put them on display for Glory days.

Trustee Salazar- The Housing Authority had a question on the back flow prevention ordinance and asked if it stated anywhere about multifamily units. He asked about the broadband and if we had heard anything else about it.

Trustee Cummings- He asked if there was going to be any paving this year. Mayor Zaragoza stated the pot holes had been filled. Town Manager Koenig stated they are scheduled to do more paving in the fall. Trustee Cummings asked about the big dip past the Winco. Koenig stated that had not been covered yet. Koenig stated it was discussed last year for the budget. Koenig stated that's why the Trustees are having a retreat to discuss the coming year budget.

Mayor Pro Tem Medina- She asked if there was any other information needed for the retreat in July. She stated the Town took a flower arrangement to the new Subway owners and they seemed very appreciative.

She thanked maintenance for the planters and stated they look beautiful around town. She stated she attended the veteran's bill signing by the governor.

She asked about the old photos discussed in the previous meeting and if there was any action taken to somehow display them. Town Manager Koenig stated there needed to be a vote made to move forward on this. Mayor Zaragoza stated Rick Manzenares will be very helpful; he also liked the way the county court house displayed theirs.

Approval to form a committee for the preservation and display of historical photos at the Senior Center.

Mayor Pro Tem Medina made a motion to move forward with a committee to look into the preservation and display of the historic photos at the Senior Center for the community and others to enjoy, and Trustee Valdez seconded.

Vote Results:

Ayes: Trustees: Valdez, Espinoza, Salazar, Cummings, Mayor Pro Tem Medina, and Mayor Zaragoza.
Nays: None
Motion Carried.

Mayor Zaragoza wanted to recognize and make sure that we move forward on this project Trustees Valdez, Salazar and Mayor Pro Tem Medina volunteered to be a part of the committee.

Mayor Zaragoza – He thanked maintenance for taking care of the park at 312 S. Main. He stated the trees are doing well out there. He stated Glory Days was next Saturday and asked if any kids were going to ride in the Humvee. He asked who will drive the Humvee in the parade; Trustee Cummings stated he could drive. Mayor Zaragoza stated the Mosquitos were sprayed last Monday and it is a little better. He asked what the donation was for Glory Days from the town. Clerk Pagnotta stated it was \$750.00.

Town Manger Koenig stated there will be a Technology meeting June 17th in regards to broadband. Koenig stated the ad for Police Chief started Monday. Chief Martinez received a Malowa Shepherd from the town as his retirement gift. Mayor Pro Tem Medina asked about an employee resignation. Town manager Koenig stated he cannot discuss personnel matters at board meetings. He stated Jose Campos will be going to college in August. The first of August will be his last day and Dean Ross will be filling his place and a part time employee will be hired.

New Business:

None

Old Business

None

Adjournment

Trustee Valdez moved to adjourn and Trustee Espinoza second. The meeting adjourned at 9:20 p.m.

Respectfully Submitted by


Town Clerk – Shawn Pagnotta


Mayor / Mayor Pro Tem

