

## Town of Garden City Minutes

February 19, 2013

Regular Meeting

Mayor Seifried called the meeting to order at 7:00 PM.

Mayor Brian Seifried and Trustees; Rusty Boyd, Lonelle Archuleta, Kelly Stewart, Fil Archuleta and Clarence Krieger were present. Trustee Terry Greenwood was absent. Staff present was: Don Hoff, Town Attorney; Cheryl Campbell, Clerk; Joe Bain, Code Enforcement; Sgt Dave Clarke, Weld County Sheriff's Office; Casey Villa, LivWell I LLC, Theresa Boyd, Whiskey River; John Rotherham, Nature's Herbs.

### **Consent Agenda**

- a. Approve Minutes of Regular Meeting January 15, 2013
- b. Approve Minutes of Special Meeting January 29, 2013
- c. Approve Treasurer's Report for January 2013
- d. Approve Checks Paid
- e. Approve Checks To Be Paid
- f. Approve Renewal of Two 21 Month CD's at First Farm Bank into 24 Month CD's at 1% Interest
- g. Approve Upstate Colorado Economic Development 2013 Dues in the Amount of \$308.00
- h. Approve Credit Application for Triad Services Solutions for Janitorial Supplies

Lonelle Archuleta moved and Clarence Krieger seconded to approve the consent agenda items a-h.  
6 Aye. 0 Nay. Motion carried.

### **Public Not on the Agenda Invited To Be Heard**

Mayor Seifried asked the audience to introduce themselves and invited public comment. Theresa Boyd 2738 6<sup>th</sup> Avenue Lane addressed the Board regarding truck traffic on the residential streets in town. Attorney Don Hoff will research the issue and if necessary he will have an Ordinance drafted for the March 19, 2013 meeting.

### **Police Report**

There was not a Sheriff's Office representative present. No reports were received.

### **Pat Hill – Street Repair and Maintenance Programs for 2013**

Pat Hill is working on the Patching Program and Seal Coating Program for 2013. He plans to replace some missing street signs. Pat would like to replace the inlet and drain on the corner of 8<sup>th</sup> Avenue and 27<sup>th</sup> Street. 9<sup>th</sup> Avenue is also on the schedule.

### **Nature's Herbs & Wellness**

- a. Resolution No. 01-2013 A Resolution Authorizing An Optional Premises Cultivation License For Nature's Herbs & Wellness

Rusty Boyd moved and Lonelle Archuleta seconded to adopt Resolution No. 01-2013 A Resolution Authorizing An Optional Premises Cultivation License For Nature's Herbs & Wellness. A roll call vote was taken:  
Brian Seifried – Yes Kelly Stewart – Yes Lonelle Archuleta – Yes Rusty Boyd – Yes Fil Archuleta – Yes  
Clarence Krieger – Yes. 6 Aye. 0 Nay. Motion carried.

- b. Nature's Herbs & Wellness Optional Premise Cultivation (OPC) License Application

Rusty Boyd moved and Lonelle Archuleta seconded to approve the Optional Premise Cultivation License For Nature's Herbs & Wellness. 6 Aye. 0 Nay. Motion carried.

- c. Nature's Herbs & Wellness Marijuana Infused Products (MIP) License Application

Rusty Boyd moved and Lonelle Archuleta seconded to approve the Marijuana Infused Products (MIP) License Application for Nature's Herbs & Wellness. 6 Aye. 0 Nay. Motion carried.

**ROI Ventures Land Purchase Contract**

Clarence Krieger moved and Kelly Stewart seconded to approve the land purchase contract for the vacant lot at 2519 7<sup>th</sup> Avenue contingent on an acceptable Level 1 Environmental Study and receipt of a property line survey. A roll call vote was taken: Fil Archuleta – Yes Clarence Krieger – Yes Brian Seifried – Yes Lonelle Archuleta – Yes Rusty Boyd – Yes Kelly Stewart – Yes. 6 Aye 0 Nay. Motion carried.

**Ordinance No. 01-2013 An Ordinance Creating The Town Of Garden City Fence Grant Program**

Lonelle Archuleta moved and Fil Archuleta seconded to have Attorney Hoff change the draft Ordinance to state that fences must be kept in acceptable repair for 5 years and state consequences if the fence was not kept in acceptable repair. He will have the amended Ordinance for the March 19, 2013 meeting. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 02-2013 An Ordinance Imposing A Moratorium On The Operation Of Marijuana Establishments Pursuant To Amendment 64**

Lonelle Archuleta moved and Fil Archulata seconded to adopt Ordinance No. 02-2013 An Ordinance Imposing A Moratorium On The Operation Of Marijuana Establishments Pursuant To Amendment 64. A roll call vote was taken: Kelly Stewart – Yes Rusty Boyd – No Clarence Krieger – No Fil Archuleta – Yes Lonelle Archuleta – Yes Brian Seifried – Yes. 4 Aye. 2 Nay. Motion carried.

**Ordinance No. 03-2013 An Ordinance Modifying The Garden Of City Pavement Improvement Grant Program**

Fil Archuleta moved and Lonelle Archuleta seconded to adopt Ordinance No. 03-2013 An Ordinance Modifying The Garden City Pavement Improvement Grant Program. A roll call vote was taken: Rusty Boyd – Yes Lonelle Archuleta – Yes Kelly Stewart – Yes Brian Seifried – Yes Fil Archuleta – Yes Clarence Krieger – Yes. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 04-2013 An Ordinance Modifying The Town of Garden City Commercial Revitalization Grant Program**

Lonelle Archuleta moved and Fil Archuleta seconded to adopt Ordinance No. 04-2013 An Ordinance Modifying The Town of Garden City Commercial Revitalization Grant Program. A roll call vote was taken: Lonelle Archuleta – Yes Brian Seifried – Yes Fil Archuleta – Yes Clarence Krieger – Yes Kelly Stewart – Yes Rusty Boyd – Yes. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 05-2013 An Ordinance Prohibiting The Growth Of Chinese Elm, Cotton-Bearing Cottonwood, Cotton-Bearing Poplar And Russian Olive Trees In the Town Of Garden City**

With a change in the proposed Ordinance to exempt existing trees over 12 feet tall, Lonelle Archuleta moved and Fil Archuleta seconded to adopt Ordinance No. 05-2013 An Ordinance Prohibiting The Growth Of Chinese Elm, Cotton-Bearing Cottonwood, Cotton-Bearing Poplar And Russian Olive Trees In the Town Of Garden City. A roll call vote was taken: Brian Seifried – Yes Kelly Stewart – Yes Rusty Boyd – Yes Lonelle Archuleta – Yes Clarence Krieger – Yes Fil Archuleta – Yes. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 06-2013 An Ordinance Prohibiting Panhandling In Certain Locations, Times And Under Certain Circumstances In The Town Of Garden City**

Lonelle Archuleta moved and Fil Archuleta seconded to adopt Ordinance No. 06-2013 An Ordinance Prohibiting Panhandling In Certain Locations, Times And Under Certain Circumstances in the Town of Garden City. A roll call vote was taken: Fil Archuleta – Yes Kelly Stewart – Yes Lonelle Archuleta – Yes Clarence Krieger – Yes Brian Seifried – Yes Rusty Boyd – Yes. 6 Aye. 0 Nay. Motion carried.

**Approve 2013 Contract for Animal Pound Services With The Humane Society Of Weld County**

Lonelle Archuleta moved and Fil Archuleta seconded to approve the contact for 2013 with the Humane Society of Weld County. A roll call vote was taken: Clarence Krieger – Yes Rusty Boyd – Yes Brian Seifried – Yes Kelly Stewart – Yes Fil Archuleta – Yes Lonelle Archuleta – Yes. 6 Aye. 0 Nay. Motion carried.

**Weld Referral No. SPR13-0001**

Lonelle Archuleta moved and Fil Archuleta seconded to answer ‘No Conflict With Our Interests’ to Weld Referral No. SPR13-0001. 6 Aye. 0 Nay. Motion carried.

**Consider Garden City Scholarship for the Weld County Sheriff’s Explorer Program**

Fil Archuleta moved and Lonelle Archuleta seconded to approve a \$270.00 Scholarship for the WCSO Explorer’s Program. 6 Aye. 0 Nay. Motion carried.

**Consider Construction Project for Basement**

Clarence Krieger moved and Lonelle Archuleta seconded to authorize Joe Bain in Public Works to build a room with a metal door jam and solid wood door in the basement including purchasing necessary materials. 6 Aye. 0 Nay. Motion carried.

**Landscape Project**

Lonelle Archuleta moved and Fil Archuleta seconded to authorize Mayor Brian Seifried to contact the City of Greeley for some direction on how to proceed with this project. 6 Aye. 0 Nay. Motion carried.

**Attorney’s Report**

- a. **Board Members Volunteering For Various Jobs in Town**  
Attorney Don Hoff gave a report on why Board Members are not allowed to volunteer to do work outside the scope of their legislative duties in Town.
- b. **Whiskey River Complaint Letter**  
Trustee Rusty Boyd recused himself. A complaint letter from Rusty Boyd was discussed. The Mayor and Fil Archuleta will schedule a meeting with Rusty Boyd and the Sheriff’s Office as soon as Sgt Clarke returns to work and is available.

**Consider Bus Stop**

This item was tables until the March 19, 2013 meeting.

**Other Board Issues**

- a. **Wireless Router in Town Hall**

Fil Archuleta moved and Lonelle Archuleta seconded to approve the purchase and installation of a wireless router in Town Hall. 6 Aye. 0 Nay. Motion carried.

- b. **Bereavement Gift**

Fil Archuleta moved and Lonelle Archuleta seconded to approve a bereavement gift to the family of former Mayor Mary Miller in the amount of \$50.00. 6 Aye. 0 Nay. Motion carried.

- c. **Deadline to Submit Board Packet Materials**

Fil Archuleta moved and Lonelle Archuleta seconded to approve a deadline to submit Board Packet materials. 2:00 PM Thursday before Board Meeting. 6 Aye. 0 Nay. Motion carried.

**Adjourn**

Since there was no further business, Clarence Krieger moved and Fil Archuleta seconded to adjourn the meeting. Mayor Brian Seifried adjourned the meeting at 10:00 PM.

Respectfully Submitted by \_\_\_\_\_  
Cheryl Campbell, Clerk