

## Town of Garden City Minutes

August 20, 2013

Regular Meeting

Mayor Seifried called the meeting to order at 7:01 PM.

Mayor Brian Seifried and Trustees; Terry Greenwood, Lonelle Archuleta, Kelly Stewart, Fil Archuleta and Clarence Krieger were present. Trustee Rusty Boyd was absent. Staff present was: Don Hoff, Town Attorney; Amy Penfold, Associate Attorney; Cheryl Campbell, Clerk; Joe Bain, Code Enforcement Officer; Deputy Jeremy Black, Weld County Sheriff's Office; Debra Zen, Everyday Store; Michael Lord, LivWell; Tom Wilczynski, Cannabis Care Wellness Center.

### **Consent Agenda**

- a. Approve Minutes of Regular Meeting July 16, 2013
- b. Approve Minutes of Special Meeting August 6, 2013
- c. Approve Treasurer's Report for July 2013
- d. Approve Checks Paid
- e. Approve Checks To Be Paid
- f. Approve Fence Grant for Gabriel Saenz 2707 6<sup>th</sup> Avenue Lane for \$2758.50
- g. Approve Fence Grant for Carlos Vargas 27006<sup>th</sup> Avenue Lane for \$564.95
- h. Approve Crushed Asphalt Bid from Schneider Paving for 620 27<sup>th</sup> St Rd for \$5500.00

Fil Archuleta moved and Clarence Krieger seconded to approve the consent agenda items a-h. 5 Aye. 0 Nay. Motion carried. Trustee Lonelle Archuleta was out of the room.

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

Mayor Seifried asked the audience to introduce themselves and invited public comment. There was none.

### **Police Report**

Jeremy Black from Weld County Sheriff's Office addressed the Board regarding the July 2013 statistics. Trustee Kelly Stewart voiced concerns regarding increased speeding on 6<sup>th</sup> Avenue. Mayor Brian Seifried asked for crime statistics for certain properties.

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

Mr. Hill updated the Board regarding 2013 programs. He also gave a report on the results of the drain cleaning on 27<sup>th</sup> Street. He stated that construction cones will be picked up before the Bootleggin' event on August 23, 2013.

### **Medical Marijuana Licensing Issues**

- a. **LivWell I LLC DBA LivWell Center and OPC Renewal Application**

Michael Lord, Manager of LivWell was present to address the Board regarding the renewal applications for LivWell. Mr. Lord reported that he is being reassigned to the company's Boulder location and LeeAnn Jurnigan will be the operating manager in Garden City as of August 25, 2013. Lonelle Archuleta moved and Terry Greenwood seconded to approve the Medical Marijuana Center and Optional Premise Cultivation licenses for LivWell I LLC DBA LivWell.

6 Aye. 0 Nay. Motion carried.

- b. **Cannabis Care Wellness Center and OPC Renewal Application**

Tom Wilczynski, Owner of Cannabis Care Wellness Center was present to address the Board regarding the renewal applications for Cannabis Care. Clarence Krieger moved and Lonelle Archuleta seconded to approve the Medical Marijuana Center and Optional Premise Cultivation licenses for Cannabis Care Wellness Center. 6 Aye. 0 Nay. Motion carried.

**Liquor Licensing Issues**

- a. **Super America LLC DBA The Everyday Store 3.2% Retail Liquor License Renewal**

Debra Zen, Manager of The Everyday Store was present to address the Board regarding the renewal of Super America LLC DBA The Everyday Store's 3.2% Liquor License renewal. All departments report no corrections needed and no objections to renewal. Lonelle Archuleta moved and Clarence Krieger seconded to approve the 3.2% Liquor License for The Everyday Store. 6 Aye. 0 Nay. Motion carried.

- b. **Garden City Business Association Special Events Permit Liquor License Application**

Lonelle Archuleta moved and Clarence Krieger seconded to approve the Special Events Permit Liquor License for Garden City Business Association contingent on no objections being file in the Clerk's Office on or before August 23, 2013. 6 Aye. 0 Nay. Motion carried.

**Shirley Pfankuch, Ninth Avenue Apartments Revitalization Grant Application**

Ms. Pfankuch presented improvements that she has made so far with the Pavement and Fence Grants she received from the Town. She submitted requests for a Revitalization Grant. Lonelle Archuleta moved and Fil Archuleta seconded to approve \$4500.00 for the landscaping portion of the request and one quarter of the cost of the trellis project. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 10-2013 An Ordinance Designating The Board Of Trustees Of The Town Of Garden City As The Local Authority Responsible For Licensing Of Retail Marijuana If The State Fails To Adopt Regulations, Issue Licenses, Or Fails To Act Upon An Application**

Lonelle Archuleta moved and Terry Greenwood seconded to approve Ordinance No. 10-2013 An Ordinance Designating The Board Of Trustees Of The Town Of Garden City As The Local Authority Responsible For Licensing Of Retail Marijuana If The State Fails To Adopt Regulations, Issue Licenses, Or Fails To Act Upon An Application. A roll call vote was taken: Kelly Stewart – Yes Terry Greenwood – Yes Clarence Krieger – Yes Lonelle Archuleta – Yes Fil Archuleta – Yes Brian Seifried – Yes. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 11-2013 An Ordinance Regulating Marijuana Cultivation, Marijuana Consumption And Offenses Related To Age, Grow, And Possession Of Marijuana And The Abusing Toxic Vapors In The Town Of Garden City And Establishing Penalties For Violations**

Lonelle Archuleta moved and Terry Greenwood seconded to set a Special Meeting for August 29, 2013 at 4:00 PM to consider Ordinances No. 11-2013 and No. 12-2013. 6 Aye. 0 Nay. Motion carried.

**Ordinance No. 12-2013 An Ordinance Concerning The Regulation Of Marijuana In The Town Of Garden City, Authorizing The Issuance Of Retail Marijuana Licenses, Appointing The Board Of Trustees As The Licensing Authority And Establishing Rules Governing The Issuance Of Licenses, Transfer, Suspension Or Revocation Of Retail Marijuana Licenses As Authorized By Article XVIII, Section 16 Of The Colorado Constitution And Article 43.4 Of Title 12, Colorado Revised Statutes**

**Resolution No. 03-2013 A Resolution Of The Town Of Garden City To Authorize The Investment Of Certain Funds Of The Town In Instruments And Securities Of The United States**

**Treasury**

Lonelle Archuleta moved and Fil Archuleta seconded to approve Resolution No. 03-2013 A Resolution Of The Town Of Garden City To Authorize The Investment Of Certain Funds Of The Town In Instruments And Securities Of The United States Treasury. A roll call vote was taken:

Lonelle Archuleta – Yes Terry Greenwood – Yes Brian Seifried – Yes Fil Archuleta – Yes Kelly Stewart – Yes Clarence Krieger – Yes. 6 Aye. 0 Nay. Motion carried.

**Lease for Mammen Property**

Fil Archuleta moved and Kelly Stewart seconded to approve a ten year lease of Steve Mammen's parking lot at 620 27<sup>th</sup> St Rd. by the Town of Garden City for \$10.00. 6 Aye. 0 Nay. Motion carried.

**Landscape Project at Highway 34 and 8<sup>th</sup> Avenue**

Clarence Krieger moved and Lonelle Archuleta seconded to approve the landscape design (less the diamond shaped structures) from Pridian Design. The Clerk will ask Pridian Design for a bid for construction plans. 6 Aye. 0 Nay. Motion carried.

**Bighorn Plumbing Proposal**

No action was taken on this item.

**Clerk's Annual Review**

Clarence Krieger moved and Fil Archuleta seconded to increase the Clerk's Salary to \$48,215.54 effective July 1, 2013. 6 Aye. 0 Nay. Motion carried.

**Clerk's PTO Request**

Fil Archuleta moved and Lonelle Archuleta seconded to approve the Clerk's PTO request for September 20,23,24,25,26,27, 2013. 6 Aye. 0 Nay. Motion carried.

**Attorney's Report**

Establishing a Park Policy and a CORA Policy were discussed.

**Other Board Issues**

Lonelle Archuleta moved and Clarence Krieger seconded to have the park sprayed for mosquitos before the Bootleggin' event. 6 Aye. 0 Nay. Motion carried.

**Announcements**

- a. **Comcast Channel Line Up Changes**

Details are available in the Clerk's Office

- b. **Bootleggin' BBQ August 23,24, 2013**

**Adjourn**

Since there was no further business, Terry Greenwood moved and Lonelle Archuleta seconded to adjourn the meeting. Mayor Brian Seifried adjourned the meeting at 9:23 PM.

Respectfully Submitted by \_\_\_\_\_

Cheryl Campbell, Clerk