

Town of Garden City Minutes

December 11, 2013

Regular Meeting

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

Mayor Brian Seifried and Trustees; Terry Greenwood, Dan Ruhala, Lonelle Archuleta, Kelly Stewart, Fil Archuleta and Clarence Krieger were present. Staff present was: Don Hoff, Town Attorney; Amy Penfold, Associate Attorney, Cheryl Campbell, Clerk; Joe Bain, Code Enforcement; Deputy Don Potter, Weld County Sheriff's Office; Mike Schwartz, A.F. Ray's; Cad Waite, Waite Investments; John & Alicia Rotherham, Nature's Herbs; Tom Wilczynski, Cannabis Care; Cindi Seidler, White Horse Inn; Lisa Donley, Lisa's; Glenna Medina, VFW 2121; Pamela Shaddock, Senator Mark Udall's Office.

Consent Agenda

- a. Approve Minutes of Regular Meeting December 11, 2013
- b. Approve Treasurer's Report for December 2013
- c. Approve Bills Paid
- d. Approve Bills To Be Paid
- e. Approve Beautify Garden City Water Rebate for Terry Trueblood 2712 9th Avenue for \$104.15
- f. Approve Clerk's PTO Request for Two Days, December 20 & December 23, 2013

Lonelle Archuleta moved and Clarence Krieger seconded to approve the consent agenda items a-f.
7 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. Pamela Shaddock representing Senator Mark Udall presented Mayor Seifried with a certificate in recognition of the Town's 75th Anniversary.

Police Report

Deputy Don Potter from the Weld County Sheriff's Office addressed the Board regarding the 2013 statistics. He noted that the Sheriff's Office has seen an increase in problems at A.F. Ray's recently but overall criminal activity and police calls have decreased in town.

Liquor Licensing Issues

- a. **Pioneer Post 2121 DBA VFW Tavern with Live Entertainment Liquor License Renewal**

Glenna Medina, Manager of VFW addressed the Board regarding the renewal application. All departments reported no violations and no objections to renewal. Lonelle Archuleta moved and Clarence Krieger seconded to approve the Tavern with Live Entertainment Liquor License for VFW. 7 Aye. 0 Nay. Motion carried.

- b. **Ron-Lee-Von, LLC DBA The White Horse Inn Tavern with Live Entertainment Liquor License Renewal**

Cindi Seidler, Assistant Manager of the White Horse addressed the Board regarding the renewal application. No Sheriff's Office report. All other departments reported no violations and no objections to renewal. Lonelle Archuleta moved and Fil Archuleta seconded to approve the Tavern with Live Entertainment Liquor License for the White Horse. 7 Aye. 0 Nay. Motion carried.

- c. **A.F. Ray's Barcade LLC DBA A.F. Ray's Tavern with Live Entertainment Liquor License Renewal**

Mayor Brian Seifried recused himself as he is the lessor to the licensee. Mike Schwartz, Owner of A.F. Ray's addressed the Board regarding the renewal. The Sheriff's Office reports an increase in incidents at A.F. Ray's including a violation of Service to A Minor cited by the State during a recent compliance check. All other departments report no violations and no objections to renewal. Owner Mike Schwartz reported that he is

addressing the issues raised by the Sheriff's Office and terminated the bartender who served the minor. Lonelle Archuleta moved and Fil Archuleta seconded to approve the Tavern with Live Entertainment Liquor License for A.F. Ray's. 6 Aye. 0 Nay. Motion carried.

• **d. Delta Don LLC DBA Lisa's Tavern with Live Entertainment Liquor License Renewal**

Lisa Donley, Owner of Lisa's addressed the Board regarding the renewal application. Deputy Don Potter submitted a report outlining a significant increase in problems at Lisa's. The Sheriff's Office recommended denial of the renewal application. All other departments reported no violations and no objections to renewal. Lonelle Archuleta moved and Fil Archuleta seconded to set a hearing for denial of the renewal application for Lisa's. 6 Aye. 1 Nay. Motion carried.

Consider Tom Wilczynski's Request for An Extension on Use of a Storage Container

Lonelle Archuleta moved and Clarence Krieger seconded to approve a six month extension until June 30, 2014 for the use of the storage container on the property at 2515 7th Avenue. 7 Aye. 0 Nay. Motion carried.

Consider John Rotherham's Request Regarding Marijuana Wholesale Fees

John Rotherham, Owner of Nature's Herbs Wellness Center asked the Board to consider basing Garden City's 1 1/2 % Wholesale Fee on cost of goods for Marijuana wholesaled outside of Garden City.

Ordinance No. 11-2013 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

Lonelle Archuleta moved and Dan Ruhala seconded to adopt Ordinance No. 11-2013 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. A roll call vote was taken: Terry Greenwood – Yes Lonelle Archuleta – Yes Clarence Krieger – Yes Kelly Stewart – Yes Fil Archuleta – Yes Brian Seifried – Yes Dan Ruhala – Yes. 7 Aye. 0 Nay. Motion carried.

Ordinance No. 12-2013 An Ordinance Regulating Marijuana Cultivation, Marijuana Consumption, And Offenses Related To Age, Grow, And Possession Of Marijuana In The Town Of Garden City And Establishing Penalties For Violations

Fil Archuleta moved Terry Greenwood seconded to adopt Ordinance No. 12-2013 An Ordinance Regulating Marijuana Cultivation, Marijuana Consumption, And Offenses Related To Age, Grow, And Possession Of Marijuana In The Town Of Garden City And Establishing Penalties For Violations. A roll call vote was taken: Lonelle Archuleta – Yes Brian Seifried – Yes Fil Archuleta – Yes Terry Greenwood – Yes Dan Ruhala – Yes Clarence Krieger – Yes Kelly Stewart – Yes. 7 Aye. 0 Nay. Motion carried.

Resolution No. 05-2013 A Resolution For The Adoption of the 2014 Budget

Fil Archuleta moved and Kelly Stewart seconded to adopt Resolution No. 05-2013 A Resolution For The Adoption of the 2014 Budget. A roll call vote was taken: Fil Archuleta – Yes Dan Ruhala – Yes Kelly Stewart – Yes Lonelle Archuleta – Yes Clarence Krieger – Yes Terry Greenwood – Yes Brian Seifried – Yes. 7 Aye. 0 Nay. Motion carried.

Resolution No. 06-2013 A Resolution To Appropriate Sums of Money

Lonelle Archuleta moved and Fil Archuleta seconded to adopt Resolution No. 06-2013 A Resolution To Appropriate Sums of Money. A roll call vote was taken: Kelly Stewart – Yes Brian Seifried – Yes Terry Greenwood – Yes Fil Archuleta – Yes Clarence Krieger – Yes Dan Ruhala – Yes Lonelle Archuleta – Yes. 7 Aye 0 Nay. Motion carried.

Resolution No. 07-2013 A Resolution Levying General Property Taxes For The Year 2013 To Help Defray The Costs Of Government For The Town Of Garden City, Colorado For The 2014 Budget Year

Lonelle Archuleta moved and Clarence Krieger seconded to adopt Resolution No. 07-2013 A Resolution Levying General Property Taxes For The Year 2013 To Help Defray The Costs Of Government For The Town Of Garden City, Colorado For The 2014 Budget Year. A roll call vote was taken:

Dan Ruhala – Yes Lonelle Archuleta – Yes Terry Greenwood – Yes Kelly Stewart – Yes
Fil Archuleta – Yes Brian Seifried – Yes Clarence Krieger – Yes. 7 Aye. 0 Nay. Motion carried.

Resolution No. 01-2014 A Resolution Creating The Town of Garden City Single Family Residential Revitalization Grant Program

This item was tabled to the January 21, 2014 meeting.

Attorney's Report

Attorney Don Hoff will send a letter to the owner of the Everyday Store regarding the lack of adequate outdoor lighting on their property.

Other Board Issues

- **Benches for Bus Stop**

Fil Archuleta moved and Lonelle Archuleta seconded to purchase and install a bench in the bus stop. 7 Aye. 0 Nay. Motion carried.

Announcements

- a. Comcast Channel Line-up Changes and Price Changes
Letter is on file in the Clerk's Office
- b. Christmas Party Saturday December 14, 2013 at 5:00 PM at the VFW

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 9:10 PM.

Respectfully Submitted by _____
Cheryl Campbell, Clerk