

## Town of Garden City Minutes

October 4, 2016

Regular Meeting

Mayor Lonelle Archuleta called the meeting to order at 7:02 PM.

Mayor Lonelle Archuleta and Trustees Manuel Ramos, Tara Murlowski, Willie Spaedt, Fil Archuleta and Clarence Krieger were present. Trustee Terry Greenwood was absent. Staff present: Cheryl Campbell, Town Administrator; Abby Clabough, Deputy Clerk. Eliseo Lopez, 614 27<sup>th</sup> Street Rd; Ryan Natividad, XG Platinum Corp; Erica Pilch, XG Platinum Corp; Ken Craft, Empire State Pizza.

### **Consent Agenda**

- a. Approve Minutes from September 20, 2016 Regular Meeting
- b. Approve Paid Bills
- c. Approve Bills To Be Paid

Fil Archuleta moved and Clarence Krieger seconded to approve the Consent Agenda items a-c. 6 Aye. 0 Nay. Motion carried.

### **Public Not On The Agenda Invited To Be Heard**

There was none.

### **Marijuana Licensing Issues**

#### **XG Platinum Corp Medical OPC Renewal MMJ042017-OPC, 422 26<sup>th</sup> Street**

Erica Pilch apologized to the Board for the grievances aired during the Public Hearing Regarding the Use by Special Review that took place on August 1, 2016. She stated that she is no longer selling XG Platinum Corp to RLD, LLC and that Ryan Natividad and she are working together again.

Mayor Lonelle Archuleta stated that the OPC license should not have been renewed after the Medical Center license had been surrendered. Ms. Pilch explained she was not aware she would not be able to renew her other medical licenses without the Medical Center license in place. There was more discussion at which time Ryan Natividad stated that the Marijuana Enforcement Division told XG Platinum Corp they would not be able to renew their State Medical Center license without any patients on record.

Fil Archuleta moved and Clarence Krieger seconded to deny XG Platinum Corp Medical OPC Renewal MMJ042017-OPC. 5 Aye. 1 Nay. Motion carried.

#### **XG Platinum Corp Medical MIP Renewal MMJ042017-MIP, 422 26<sup>th</sup> Street**

There was further discussion about the effect on XG Platinum Corp if the renewal was not approved. Ryan explained how the Marijuana Infused Products part of their business works, and if the license isn't renewed, they'd have to lay off five employees and destroy hundreds of thousands of dollars' worth of product, some of which doesn't belong to them.

Manuel Ramos moved and Tara Murlowski seconded to approve XG Platinum Corp Medical MIP Renewal MMJ042017-MIP. Roll call vote: Fil Archuleta – No; Willie Spaedt – Yes; Lonelle Archuleta – Yes; Manuel Ramos – Yes; Clarence Krieger – No; Tara Murlowski – Yes. 4 Aye. 2 Nay. Motion carried.

**XG Platinum Corp Retail MIP Renewal RMJ042017-MIP, 422 26<sup>th</sup> Street**

Willie Spaedt moved and Fil Archuleta seconded to approve XG Platinum Corp Retail MIP Renewal RMJ042017-MIP. 6 Aye. 0 Nay. Motion carried.

**Schedule a Special Meeting for LivWell 2647 8<sup>th</sup> Avenue**

Willie Spaedt moved and Fil Archuleta seconded to schedule a special meeting for LivWell on Wednesday, October 5, 2016 at 7:30 PM. 6 Aye. 0 Nay. Motion carried.

**Liquor Licensing Issues**

**AF Ray's Barcade LLC dba Empire State Pizza Report of Changes Application**

Willie Spaedt moved and Fil Archuleta seconded to approve the Tavern Conversion for AF Ray's Barcade LLC dba Empire State Pizza. 6 Aye. 0 Nay. Motion carried.

**Revitalization Grants**

**Revitalization Grant - Elesio Lopez, 614 27<sup>th</sup> Street Rd.**

Fil Archuleta moved and Clarence Krieger seconded to approve the Revitalization Grant application and payment of \$739.73 to Elesio Lopez for 50% of his cost on the work done at 614 27<sup>th</sup> Street Rd. Payment is contingent upon Mr. Lopez submitting a better copy of the receipt from Varra Companies. 6 Aye. 0 Nay. Motion carried.

**Fence Grant – Alex Lopez, 614 27<sup>th</sup> Street Rd.**

Willie Spaedt moved and Manuel Ramos seconded to approve the Fence Grant application and payment of \$217.32 to Elesio Lopez for 75% of his cost on his privacy fence. 6 Aye. 0 Nay. Motion carried.

**Revitalization Grant - Spaedt/Clabough, 2710 6<sup>th</sup> Avenue Ln.**

Willie Spaedt recused himself for conflict of interest. Manuel Ramos moved and Tara Murlowski seconded to approve the Revitalization Grant application for 2710 6<sup>th</sup> Avenue Ln. 5 Aye. 0 Nay. Motion carried.

**Public Hearing Regarding Ordinance No. 05-2016**

Mayor Lonelle Archuleta adjourned the regular meeting and opened the public hearing regarding Ordinance No. 05-2016 at 7:39 PM.

There was no comment.

Mayor Lonelle Archuleta adjourned the public hearing and resumed the regular meeting at 7:39 PM.

**Ordinance No. 05-2016**

Manuel Ramos moved and Clarence Krieger seconded to adopt Ordinance No. 05-2016. Roll call vote: Willie Spaedt – Yes; Tara Murlowski – Yes; Clarence Krieger – Yes; Fil Archuleta – Yes; Lonelle Archuleta – Yes; Manuel Ramos – Yes. 6 Aye. 0 Nay. Motion carried.

**Consider appropriate response to City of Greeley regarding water & sewer**

Manuel Ramos moved and Willie Spaedt seconded to choose option 2 of consultant Forrest Leaf's suggested responses to Greeley. 6 Aye. 0 Nay. Motion carried. The option reads as follows:

**Direct the Town Administrator to send a letter to the City Manager of Greeley thanking the City of Greeley for providing water and sewer services to its residences, but that Garden City does not have the expertise and resources to absorb either system.** Furthermore, the services rendered by the City of Greeley is a contract between the City of Greeley and its 121 customers located within the corporate limits of Garden City and the Board of Trustees does not wish to interfere in this contractual arrangement.

**Budget**

Fil Archuleta requested to add the Town's plans for 8<sup>th</sup> Avenue Revitalization back into the budget for 2017. Currently there is \$250,000 in the 2016 Budget for the project that is unspent. The Board agreed to roll the \$250,000 over to 2017 and budget \$1 million for 8<sup>th</sup> Avenue Revitalization in 2017. No vote was required at this meeting.

**Approve Humane Society of Weld County Agreement for 2017**

Fil Archuleta moved and Manuel Ramos seconded to approve the Humane Society of Weld County Agreement for 2017. 6 Aye. 0 Nay. Motion carried.

**Adopt Rules of Procedure**

Fil Archuleta moved and Clarence Krieger seconded to adopt the Garden City Board of Trustees Rules of Procedure. 6 Aye. 0 Nay. Motion carried.

**Consider Copier/Printer**

Clarence Krieger moved and Fil Archuleta seconded to approve the copier/printer purchase from Automated Business Products. Roll call vote: Tara Murlowski – Yes; Lonelle Archuleta – Yes; Manuel Ramos – Yes; Willie Spaedt – Yes; Clarence Krieger – Yes; Fil Archuleta – Yes. 6 Aye. 0 Nay. Motion carried.

**Consider Marquee**

Clarence Krieger moved and Fil Archuleta seconded to approve the purchase of the marquee, part number AMC7505. 6 Aye. 0 Nay. Motion carried.

**Consider Town-County Dinner**

Fil Archuleta moved and Clarence Krieger seconded to approve attendance at the Town-County Dinner on October 27, 2017 for all Trustees and Staff. 6 Aye. 0 Nay. Motion carried.

**Attorney's Report**

Don Hoff stated that he heard from Economic Development Consultant Stephanie Salazar regarding the fulfillment of her contract. He has yet to evaluate her response.

**Other Board Issues**

Mayor Lonelle Archuleta asked Don Hoff to help the Town find a new attorney. Don Hoff said that he is moving to a new firm next week, which is the same firm that the Town's Judge is in, so the Town needs to find another prosecutor for court moving forward. He also stated that he is looking for a qualified Attorney to recommend to the Board.

**Announcements**

There was none.

**Adjourn**

Since there was no further business, Fil Archuleta moved and Clarence Krieger seconded to adjourn the meeting. 6 Aye. 0 Nay. Motion carried. Mayor Lonelle Archuleta adjourned the meeting at 8:19 PM.

By \_\_\_\_\_  
Abby Clabough, Deputy Clerk