

Town of Garden City Minutes

November 20, 2018

Regular Meeting

Mayor Filbert Archuleta called the meeting to order at 7:00 P.M.

Mayor Fil Archuleta and Trustees Willie Spaedt, Alex Lopez, Tricia Widener, Gary Sorensen and Clarence Krieger were present. Staff present: Cheryl Campbell, Town Administrator; Abby Spaedt, Deputy Clerk; Amy Penfold, Town Attorney. Also present were Becki Rogakis, XG Platinum Corp; Noelle Gomez, 2711 7th Avenue.

Consent Agenda

- a. Approve Minutes from November 6, 2018 Meeting
- b. Approve Treasurer's Report for October 2018
- c. Approve Paid Bills
- d. Approve Bills to be Paid
 - i. Approve Payment Of \$6,768.00 For Public Works Storage Building to Cumberland Buildings
- e. Approve Town Administrator's PTO for December 17-21, 26-29, 31, 2018 (9 Days)

Willie Spaedt moved, and Gary Sorensen seconded to approve the Consent Agenda, items a. – e. 6 Aye. 0 Nay. Motion carried.

Public Not On The Agenda Invited To Be Heard

There was none.

Marijuana Licensing Issues

- a. XG Platinum Corporation DBA XG Platinum Medical Marijuana-Infused Products Manufacturer (MIPs) License MMJ042019MIP Renewal Application

Gary Sorensen moved, and Clarence Krieger seconded to approve License No. MMJ042019MIP for XG Platinum Corporation. 6 Aye. 0 Nay. Motion carried.

- b. XG Platinum Corporation DBA XG Platinum Retail Marijuana Products Manufacturer (MIPs) License RMJ042019MIP Renewal Application

Clarence Krieger moved, and Alex Lopez seconded to approve License No. RMJ042019MIP for XG Platinum Corporation. 6 Aye. 0 Nay. Motion carried.

- c. XG Platinum Corporation DBA XG Platinum Retail Marijuana Store License RMJ042019 Renewal Application

Tricia Widener moved, and Gary Sorensen seconded to approve License No. RMJ042019 for XG Platinum Corporation. 6 Aye. 0 Nay. Motion carried.

- d. XG Platinum Corporation DBA XG Platinum Retail Marijuana Cultivation Facility License RMJ042019MCF Renewal Application

Clarence Krieger moved, and Alex Lopez seconded to approve License No. RMJ042019MCF for XG Platinum Corporation. 6 Aye. 0 Nay. Motion carried.

- e. XG Platinum Corporation DBA XG Platinum Retail Marijuana Cultivation Facility License RMJ042019MCF2 Renewal Application

Willie Spaedt moved, and Alex Lopez seconded to approve License No. RMJ042019MCF2 for XG Platinum Corporation. 6 Aye. 0 Nay. Motion carried.

Public Hearing Regarding A Zoning Variance Application

Mayor Fil Archuleta adjourned the regular meeting at 7:05 PM and opened the public hearing regarding a zoning variance application from Mike Rice and Donnie Sharp of MAD Holdings. Staff spoke with all three adjoining property owners and the Building Inspector who had no concerns or objections to the variance. Mayor Archuleta adjourned the public hearing and resumed the regular meeting at 7:10 PM.

Consider Zoning Variance Application

MAD Holdings, 2760 8th Avenue applied for a variance from 16-2-450, Garden City Municipal Code, which states the 'minimum required front yard setback is 20 feet'. MAD Holdings wants to build onto the existing building at or farther back from the setback of the existing building but still less than the required 20 feet. The property was posted on November 6, 2018 and the hearing notice was published in the Greeley Tribune on November 10, 2018. Willie Spaedt moved, and Gary Sorensen seconded to approve the zoning variance application for MAD Holdings 2760 8th Avenue. 6 Aye. 0 Nay. Motion carried.

Adopt Resolution No. 14-2018 A Resolution Of The Town Of Garden City, Colorado Temporarily Creating The Position Of Assistant Town Administrator

Gary Sorensen moved, and Clarence Krieger seconded to adopt Resolution No. 14-2018 A Resolution Of The Town Of Garden City, Colorado Temporarily Creating The Position Of Assistant Town Administrator. Trustee Willie Spaedt recused himself due to a conflict of interest. A roll call vote was taken: Tricia Widener – Yes; Alex Lopez – Yes; Fil Archuleta – Yes; Clarence Krieger – Yes; Gary Sorensen – Yes. 5 Aye. 0 Nay. Motion carried.

Consider Rescheduling January 1, 2019 Board Meeting

Willie Spaedt moved, and Alex Lopez seconded to reschedule the January 1, 2019 meeting to Wednesday January 2, 2019 at 7:00 PM. 6 Aye. 0 Nay. Motion carried.

Consider Letter Of Engagement From Sarah Mercer, Brownstein Hyatt Farber Schreck

Gary Sorensen moved, and Tricia Widener seconded to approve the Engagement Letter from Sarah Mercer for her services to assist the Town in negotiations with CDOT regarding 8th Avenue access from Highway 34. 6 Aye. 0 Nay. Motion carried.

Consider Holiday Luncheon For Residents

Willie Spaedt moved, and Alex Lopez seconded to approve a Holiday Luncheon for residents on December 10, 2018 at 11:30 AM. 6 Aye. 0 Nay. Motion carried.

Update on 8th Avenue Realignment Project

a. Staff Update

Staff is concerned that the width of the outside northbound lane includes part of the gutter pan. J & T Consultants and Naranjo Civil are aware of the concerns and brainstorming ideas to resolve the issue. There have also been complaints regarding difficulty entering 8th Avenue from 27th St and 27th St Rd. Two Board Members stated that there are two waves in the pavement in the northbound lanes between 28th St. and 27th St. Rd. Staff will work with J & T Consultants regarding these issues.

b. J & T Consultants Invoices Approval

Willie Spaedt moved, and Tricia Widener seconded to approve the September invoice in the amount of \$16,007.85 and the October invoice in the amount of \$15,793.35 for J & T Consultants.

6 Aye. 0 Nay. Motion carried.

c. Naranjo Civil Constructors Pay Application Approval

Willie Spaedt moved, and Tricia Widener seconded to approve the October 2019 Pay Application from Naranjo Civil Constructors in the amount of \$635,982.52 for work on the 8th Avenue Realignment Project. 6 Aye. 0 Nay. Motion carried.

d. Rexel Payment Approval For Four Spare Bollards

Tricia Widener moved, and Gary Sorensen seconded to approve payment to Rexel in the amount of \$6,235.52 for four bollards. 6 Aye. 0 Nay. Motion carried.

Noelle Gomez Letter Of Interest Regarding Board Vacancy

Noelle Gomez introduced herself to the Board. Noelle will come in to Town Hall within the next week to register to vote. She has lived at 2711 7th Avenue for four years and is over 18 years old. Noelle will be considered for the vacancy at the January 2, 2019 Board Meeting.

Police Chief's Reports

- a. Lexis Nexis Contract
- b. October Incident Report
- c. October Time of Day Report
- d. October Accident Report
- e. October Citation Report

Chief Black was on vacation and did not attend the meeting. Attorney Amy Penfold had some concerns regarding the Lexis Nexis contract. Willie Spaedt moved, and Alex Lopez seconded to continue the Lexis Nexis contract to a future meeting. 6 Aye. 0 Nay. Motion carried.

Attorney's Report

Town Attorney Amy Penfold explained that recent Supreme Court rulings regarding age discrimination will apply to municipalities. She is also researching the recent ballot issue regarding indentured servitude in regard to community service sentences in Municipal Court.

Other Board Issues

Town Administrator Cheryl Campbell explained that a property owner on 8th Avenue is unhappy that another business is utilizing the public parking on 8th Avenue for employee parking for most of the day. He requested fifteen to thirty-minute parking restrictions. The Board decided that the Town does not have staff to monitor or enforce such restrictions and chose to wait to see if the situation resolves itself.

Trustee Gary Sorensen stated that he is concerned that flood water from CDOT property is not being addressed by CDOT and the proposed interchange construction will probably make the situation worse.

Staff explained the Police Department's and Building Inspector's response and follow up to a weekend garage fire on 9th Avenue.

Announcements

- a. There is a vacancy on the Board of Trustees, interested parties should bring a letter of interest to Town Hall by December 26, 2018
- b. Work Session regarding CDOT Meeting is Tuesday November 27, 2018 at 4:30 PM
- c. The December Board Meeting has been rescheduled to Tuesday December 11, 2018 at 7:00 PM
- d. The Staff Holiday Dinner is December 12, 2018 at 5:30 PM at Tony Roma's
- e. CDOT Meeting regarding 8th Avenue access is December 17, 2018 at 4:00 PM

Adjourn

Since there was no further business, Willie Spaedt moved, and Tricia Widener seconded to adjourn the meeting. 6 Aye. 0 Nay. Motion carried. Mayor Fil Archuleta adjourned the meeting at 8:15 PM.

by _____