

TOWN OF GARDEN CITY
BOARD OF TRUSTEES
MINUTES

Regular Meeting
7:30 p.m.

November 19, 2002

Mayor Warren called the meeting to order at 7:30 P.M. Board members present were Mayor Bob Warren, Dennis Kendrick, Betty Warren, Eddie Miller, Vince Loftus, and Clarence Krieger. Dixie Hill was absent. Staff present was Attorney Don Hoff and Town Clerk Janice Walter. Also present were: Helen Sanchez, Debra Ashland and Leonard Trijillo (Oak Creek Electric), El Carousel; Lee Heinze and Ronica Jackson, White Horse Inn; Liliias Jarding and Michael O'Brian, CSU/DOLA; Greg Hatten, David Herrijo, Joyce Padion, David Durrello and Chris & Kerri Salazar, Hatten Security, Hanna Woldu, Cigarette & Beer Express, Diane Rubio, Connie & Aurora Castillo, Sees Rosas; Tony Barrios, Ricardo Capon, Jerry Rosenbaum, and attorney Brad Lauer El Paso Los Angeles Limousine Express.

Minutes & Treasurer's Reports

A. Minutes of Regular Meeting October 15, 2002

B. Treasurer's Reports for October 2002

Vince Loftus moved and Betty Warren seconded to approve both the Minutes of Regular Meeting October 15, 2002 and the Treasurer's Reports for October 2002. 6 aye. 0 nay. Motion carried.

Liquor License Issues

A. White Horse Inn Renewal

We had received an application for renewal of the White Horse Inn liquor license. Applicant is Ron-Lee-Von LLC. Officers are Leona Heinze and Ronica S. Jackson. Their current license expires 1/9/03. All fees had been paid for a tavern license with live entertainment. Betty Warren moved to approve the renewal of White Horse Inn tavern liquor license. Eddie Miller seconded. 6 aye. 0 nay. Motion carried.

C. El Carousel Corrections

The clerk confirmed that the El Carousel electrical corrections required by the building inspector had been completed and approved.

Leonard Trijillo, Spring Creek Electric, stated that he had installed numerous outlets. The owners agreed that they would not allow the use of extension cords in the future.

Mayor Warren recessed the regular meeting and called a public zoning hearing to order.

Use by Special Review 1999-02

The Board considered a notice of proposed denial of the renewal of Use by Special Review 1999-02 for Seis Rosas and El Paso Limousine bus line. Don Hoff presented copies of all of the correspondence about the bus line that we have received over the past 3 years including numerous complaints that had been received. He also stated that the agreement does not terminate until December 14, 2002 and the bus line has not requested an extension of the permit. Lee Heinze stated that the security has stopped traffic on 8th Avenue so the bus could back into the parking lot. Aurora Castillo stated that some times traffic is interrupted when people cross 8th Avenue going to and from the White Horse. Chris Salazar stated that the Nissan dealership has blocked traffic on their street to unload cars.

Jerry Rosenbaum, General Manager of El Paso Limousine Express stated that the company is requesting an extension of the permit. He gave a brief history of the company and stated that they think that they are good neighbors. Ricardo Cepeda reported on the other locations in the United States that the bus stops. Tony Barrios, Denver terminal manager, explained the schedule for the Garden City bus stop and the reason that they have so many busses here at one time. There are two departures from Denver to Garden City, one arrives at 9:45 p.m. and scheduled to leave the next morning at 8:30 and one arrives after 10 p.m. and is scheduled to leave the next day at 4:30 p.m. There is also a bus that arrives here at 9 a.m. and is scheduled to leave at 5 p.m. He also stated that the buses that are scheduled to arrive in Garden City at 9 p.m. and 11 p.m. stop at the Stampede Truck Stop and do not come to Garden City. The reason there are two buses here around 5 p.m. is that one bus is leaving when the other is arriving. While there are normally no more than two buses, there may be circumstances that require a third bus to be here too.

Diane Rubio presented petitions from residents and businesses. One petition had 23 signatures of business owners or employees and the other had 29 signatures of residents who are in favor of renewing the permit.

Jerry Rosenbaum stated that the company feels that they have resolved any problems that existed. They put up a fence between Seis Rosas and The White Horse Inn. They hired a security guard not just to keep the drunks out of their area but to also keep the bus customers from parking at other businesses. He also stated that he believes most of the statements on the order are in error. Diane Rubio stated that the bus backed into the parking lot for only a few days when she was sick and not there. Jerry Rosenbaum presented a paper from the Stampede stating that the bus does stop there at night so if anyone is saying that the bus stops at Seis Rosas after business hours those people are in error and they must be seeing other company buses.

Clarence Krieger said that the buses that the Board is seeing say El Paso Limousine. Several of the Board members stated that they have personally seen El Paso buses stopped at Seis Rosas at night this year. The original agreement stated that there would only be one bus parked there at a time, the bus would not be there more than 30 minutes, they would not use the parking lot but park in front of Seis Rosas, the passengers would not park at the White Horse and that no buses would stop there at night. Clarence Krieger asked why the buses are driving around on his street when it is supposed to be on 8th Avenue. Mayor Warren stated that the bus is frequently parked while still running under his bedroom window at 6 a.m. Betty Warren stated that the bus has also stopped at other locations blocking drive ways and alleys. Clarence Krieger stated that there just is not enough room at Seis Rosas for those big buses. Dennis Kendrick stated that we were told in 2001 that the bus company was looking for another location and asked what is happening in that search.

Mr. Rosenbaum said that they were never looking for a new location, that their goal was to solve the problems that existed at that time and he thought they had but now the business is growing and without knowing what the problems are they can't address them. He also stated that 8th Avenue is a high traffic area so the passengers know how to find the bus.

Eddie Miller stated that parking in the parking lot did occur most of the summer and up to 2 weeks ago, not just a few days. When Seis

park at the White Horse just long enough to unload then to move. He also reported that there were several times that the bus drivers made u-turns on 8th Avenue and that since there has been a large increase of traffic on that street that created additional traffic hazards. Due to the increase in traffic and the growth in business of the bus and Seis Rosas, there simply is not enough room at that location for the action that is generated there.

Greg Hatton of Hatton Security presented copies of their standard operating procedures that explain how the guards are addressing some of the issues. Jerry Rosenbaum asked that the Board extend the use by special review for one more year with an automatic 6 month grace period.

Betty Warren stated that she is not comfortable with extending the permit even 90 days because that lot is not big enough to handle the amount of traffic generated and the fact that we were told six months or more ago that the company was looking for a new location but now says they have not been. Betty Warren moved that the Use by Special Review 1999-02 shall not be renewed; it will expire on December 14, 2002. Dennis Kendrick seconded. Roll call vote:

Clarence Krieger, yes

Eddie Miller, yes

Betty Warren, yes

Vince Loftus, yes

Dennis Kendrick, yes

Mayor Warren, no

Motion carried.

After considerable discussion about the length of time required to find another location, Dennis Kendrick moved and Clarence Krieger seconded to give El Paso Limousine Express 6 months to find a different location and vacate the premises. 6 aye. 0 nay. Motion carried.

Mayor Warren closed the public zoning hearing, called for a 5 minute recess and then resumed the regular meeting.

Streetscape Plan

Lilias Jarding, Community Development Specialist with CSU and DOLA, and Michael OBrien, CSU student, presented some draft drawings for streetscape plans to visually improve 8th Avenue and the intersection of Highway 85 and 26th Street. They also considered ways to separate Garden City from Greeley and increase the safety on 8th Avenue. Michael asked that the Board look at the plans and write down their comments so he can amend the plans. Betty Warren

asked if they could do some façade program guidelines. Liliias replied that that would require an additional contract with them. These could include guidelines for type of material, type of signage, color of buildings, etc.

Mayor Warren recessed the regular meeting and called the Budget Hearing to order.

2003 Budget Hearing

The clerk again stated that the ending balance would be too low if we accomplished everything that was budgeted for 2003 and asked the Board if they wanted any changes to the budget. She explained that since we are still hoping that we will be able to reconstruct 9th Avenue, the largest expenditure in our budget for 2003 is for street work. The Highway Users Tax from Colorado and The Road and Bridge fund from Weld County will only generate approximately \$8,500 in revenues for 2003. We will have to transfer the majority of monies for the Street Fund expenditures from the General Fund. Mayor Warren opened the meeting to any public comment on the budget.

Mayor Warren closed the public budget hearing and resumed the regular meeting.

The Gambler Corrections

This was delayed on the agenda to see if Dan Roberts showed up. Since Dan still was not present, the Board did not know if the building inspector's corrections had been made. The Board also reviewed a report from the police that the name had been changed from The Gambler to Shooters. A change of name must be approved by the state and local authority and no application has been made. Betty Warren moved to schedule a hearing for the Gambler with the hearing officer. Eddie Miller seconded.

Other Board Issues

Don Hoff presented a resolution initiating a change to the Land Use Code. There has been an application for a use by special review to build a 6 plex on the vacant lot north of Atomic Car Wash. Since residential use is not listed in the special review section, before the Board could consider that request, they would need to consider an

Board could consider that request, they would need to consider an ordinance to add residential use to that section of the code. Betty Warren moved to pass Resolution No 5-2002. to direct the staff to proceed with the requirements to amend the zoning code, set the public hearing and consideration of the ordinance for the December meeting which will be Wednesday, December 11, 2002 instead of Tuesday the 10th. Vince Loftus seconded. Roll call vote:

Eddie Miller, yes	Vince Loftus, yes
Betty Warren, yes	Dennis Kendrick, yes
Clarence Krieger, no	Mayor Warren, yes

Dennis Kendrick asked if the Board had considered purchasing the property west of Honda Specialists for a park. The clerk explained that the property is not in Garden City but is part of Greeley.

Since there was no further business, Mayor Warren adjourned the meeting at 10:05 P.M.

Respectfully Submitted by: Janice Walter
Janice Walter, Clerk