

TOWN OF GARDEN CITY
BOARD OF TRUSTEES
MINUTES

Regular Meeting
7:30 p.m.

August 15, 2000

Mayor Warren called the meeting to order at 7:30 P.M. Board members present were Mayor Bob Warren, Vince Loftus, Dixie Hill, Clarence Krieger, Betty Warren, Dennis Kendrick, and Eddie Miller. Staff present was Attorney Don Hoff and Town Clerk Janice Walter. Others present were: Nikki Johnson-Archuleta and Michele Smith, Ms. Paul's; Steve Mammen, Masterpiece Designs; Rick Kutcher, Rick's Libation; Stan Pettengil, Goodtime Towne Tavern; Mario Gutierrez, El Pollo Caramba; and Richard & Sheri Garza, Forest Stone.

Minutes & Treasurer's Reports

A. Minutes of Regular Meeting July 18, 2000

C. Treasurer's Reports for July 2000

Betty Warren moved and Vince Loftus seconded to approve both the Minutes of Regular Meeting July 18, 2000 and the Treasurer's Reports for July 2000. 7 aye. 0 nay. Motion carried.

Liquor Licensing Issues

Mayor Warren recessed the regular meeting and opened a liquor hearing for an application for a new license.

A. El Pollo Caramba New Application Hearing

Mario Gutierrez, 2716 6th Avenue Lane, dba El Pollo Caramba had applied for a new H & R liquor license at 2621 8th Avenue Unit A. All required notices had been published and posted. All fees had been paid for an H & R Liquor License. Betty Warren asked Mr. Gutierrez where his customers would be parking if El Pollo Caramba were opened until 2 a.m. on Fridays and Saturdays. There may be a problem since Rick's Libation and El Pollo Caramba share the same parking lot. Mario stated that if there were a problem, he would either close earlier or find some solution. Betty Warren moved to approve an H & H liquor license for Mario Gutierrez dba El Pollo Caramba. Dixie Hill seconded. 7 aye. 0 nay. Motion carried.

Mayor Warren closed the Liquor Hearing and resumed the regular meeting.

B. Muscular Dystrophy Special Event

Muscular Dystrophy Association had applied for a Special Event permit for September 3rd & 4th at Goodtime Towne Tavern parking lot. All required notices had been posted and all fees had been paid. Eddie Miller asked if there would be music outside. Stan stated that there would be music inside and outside until midnight each night. Dixie Hill moved and Vince Loftus seconded to approve the MDA application for a special event permit September 3rd & 4th. 7 aye. 0 nay. Motion carried.

C. Rick's Libation

Rick Kutcher, owner of Rick's Libation requested that he be allowed to hold a car wash/car bash on August 27, 2000 for MDA. They will have music outside during the event. Eddie Miller moved to approve the outdoor music for this event on August 27 from 3 p.m. to 11 p.m. Vince Loftus seconded. 7 aye. 0 nay. Motion carried

D. Ms. Paul's Change of Manager

We had received an application for a change of manager for Ms. Paul's Liquor Store. The new manager is Suzanne Michele Smith, 2117 7th Avenue. Betty Warren questioned Michele concerning a DUI, domestic violence and 4 failure to appear incidences listed on the police report. Michele stated that they were all related to a custody fight. Nikki Johnson-Archuleta stated that she had discussed all of the problems on the police report with Michele and Nikki feels that Michele has done a great job at the store. Mayor Warren asked Michele if she could abide by all state and local laws in the future. Michele stated that she had gotten her life straightened out will abide by the laws. Dennis Kendrick moved to approve Ms. Paul's change of manager to Suzanne Michele Smith. Dixie Hill seconded. 5 aye. 2 nay. Motion carried.

E. White Horse Inn Modification of Premises

Lee Heinze, President of Ron-Von-Lee LLC, had applied for two modifications of premises so that she can have a pig roast in the parking lot of the White Horse on September 2nd. They want to fence off a portion of the parking lot between the bar and the garage east of

the bar so they can have alcohol there during the pig roast. The second modification of premises will be to change the premises back to just the inside of the building the next day. All fees had been paid for both modifications. Eddie Miller moved to approve the first modification to include part of the parking lot in licensed premises for September 2, 2000. Vince Loftus seconded. 7 aye. 0 nay. Motion carried.

Eddie Miller moved and Vince Loftus seconded to approve the second modification to change the premises back to the inside of the building on September 3, 2000. 7 aye. 0 nay. Motion carried.

Mayor Warren recessed the meeting and opened a zoning hearing for Use By Special Review No. 2000-2.

Use By Special Review No. 2000-2

All required notices had been published and posted. Richard & Sheri Garza dba Forest Stone had applied for an added extension of their industrial business in a commercial zone. They were approved for a Use By Special Review for an industrial use in commercial zone on 2/26/97. That approval was issued with the following contingencies: 1) Six foot high, opaque fences (such as cedar privacy fencing or masonry wall) or structure enclosing all manufacturing equipment such as mixing equipment, shakers and similar devices. 2) Six-foot high, opaque fence (such as cedar privacy fencing or masonry wall) or structure enclosing all loose materials such as lava rock. 3) Additional off-street parking (paved or concrete for retail may be required by the Town if need arises at a later date. In September of 99 they were issued a building permit to add a 24' x 70" pole barn on west side of the building for a warehouse so that all of the loose material in the yard could be stored inside. They are now requesting adding another building on to the south side of their property. This will require a legal transaction to exchange some property with Masterpiece Design. Clarence Krieger stated that the property is a real eyesore now. Richard Garza apologized for the condition of the yard and stated that he thinks adding another building and moving the outdoor storage to the south of the property will be the answer to that problem. Mayor Warren stated that the Board wants the appearance of the yard to be a top priority. Betty Warren moved and Dixie Hill seconded to approve Use By Special Review No. 2000-02

with the same conditions and restrictions that was stated in the 1997 Use By Special Review to be finished by 60 days after the transfer of property. 7 aye. 0 nay. Motion carried.

Mayor Warren closed the zoning hearing and resumed the meeting.

JD Byrider

JD Byrider was not represented so the request for lighting a non-conforming sign was not presented. Don Hoff stated that if that sign is used as an on premise sign for 3 years, it may not be allowed to convert back to a legal non conforming off premise sign.

Ordinance No 2-2000

Mayor Warren read ordinance No. 2-2000, an ordinance amending the land use code of the Town of Garden City, Colorado by changing the sign posting requirements for use by special review in article II (d) and zone changes in article III (a). Betty Warren moved to approve Ordinance No. 2-2000 with language that is approved by the attorney. Clarence Krieger seconded. Roll call vote:

Clarence Krieger, yes

Eddie Miller, yes

Betty Warren, yes

Vince Loftus, yes

Dixie Hill, yes

Dennis Kendrick, yes

Mayor Warren, yes

Ordinance adopted.

Muscular Dystrophy Request

Muscular Dystrophy had requested a donation from the Town. Don Hoff stated that we should not use public money for contributing to charities. Dennis Kendrick moved to decline the request for a donation from MDA. Eddie Miller seconded. 6 aye. 0 nay. 1 abstained. Motion carried.

Budget Workshop

The Town Clerk must present a proposed budget to the Board by October 15th. We will have a budget workshop Tuesday, August 29th at 4:30 p.m. The workshop will be posted.

Other Board Issues

The weeds have been cut at 2613 8th Avenue. Betty Warren reported that First Class Motors will be requesting a Use By Special Review to put a used car lot on that property.

Mayor Warren reported that the contract for purchase of 2714 7th Avenue has been completed. Don Hoff stated that we have required an environmental study for the property. The only problem appeared to be possible hazardous materials in the floor sump. Dick & Karen Loftus will be responsible for removing those materials.

Since there was no further business, Mayor Warren adjourned the meeting at 8:46 P.M.

Respectfully Submitted by: Janice Walter
Janice Walter, Clerk