

TOWN OF GARDEN CITY  
BOARD OF TRUSTEES  
MINUTES

Regular Meeting  
7:30 p.m.

September 19, 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 Town Attorney Don Hoff and Town Clerk Janice Walter. Others present were: Benny L. Leighton, JD Byrider; Dan Roberts, The Gambler; David Barghelume and Miguel Martinez, First Class Motors; Don Van Portfleet; and Warren Lasell.

**Minutes & Treasurer's Reports**

**A. Minutes of Regular Meeting August 15, 2000**

**B. Treasurer's Reports for August 2000**

The court clerk had not sent any type of breakdown of the court fees and fines yet. Eddie Miller moved and Dixie Hill seconded to approve both the Minutes of Regular Meeting August 15, 2000 and the Treasurer's Reports for August 2000. 7 aye. 0 nay. Motion carried.

**Gambler Renewal**

The Gambler, LTD dba The Gambler had applied for renewal of their liquor license. Corporate officers are Dan Roberts, President and Cheri Garza, Secretary. Dan Roberts is the manager. Their current license expires 11/23/00. All fees had been paid for a tavern liquor license with live entertainment. Betty Warren moved to approve the renewal of The Gambler tavern liquor license with the condition that the Fire Department violations are fixed. Clarence Krieger seconded. 7 aye. 0 nay. Motion carried.

**JD Byrider**

Root Outdoor Signs has an off premise billboard sign in front of JD Byrider that would no longer be granted but was grandfathered in. John Swallow had allowed the sign to be converted to an on premise sign that is about 2 ½ times larger per face than allowed because it would no longer be a grandfathered in sign. John thought that JD Byrider had purchased the off premise sign, but had found out since then that the sign was only leased for 3 years. At that time it would

again be a legal non-conforming sign. Benny Leighton of JD Byrider asked that they be allowed to add lighting to that sign. Don Hoff stated that the building official should not have allowed a change in the non-conforming sign and as a legal matter the town can not allow an expansion of that use. Eddie Miller moved and Betty Warren seconded to deny the request by JD Byrider to add lighting to a non-conforming sign. 7 aye. 0 nay. Motion carried.

Mayor Warren recessed the meeting and opened a zoning hearing for Use By Special Review 2000-3.

**6. Use By Special Review 2000-3**

This hearing was continued from the special meeting of September 12, 2000. Miguel Martinez, property owner and David Barghelume have requested Use By Special Review No. 2000-3 to put a used car lot in a business zone at Lot 3 and 4, Block 16, Kendrick Subdivision, also known as 2613 8<sup>th</sup> Avenue. All required notices had been posted and published. All fees had been paid. There was considerable discussion about the size of the property and how many vehicles will be located there and about allowing another use that does not generate sales tax. David Barghelume presented a site plan of the property showing his intended use. Miguel Martinez, owner of 2613 8<sup>th</sup> Avenue stated that he has had trouble leasing that property and feels that David will be a good tenant and has already been working to improve the property. Mayor Warren explained that there had been confusion over the location of the property line but David will work closely with John Swallow to make sure nothing is in the public right of way. Don Van Portfleet and Warren Lasell testified to the character of Mr. Barghelume. Betty Warren moved to approve Use By Special Review No. 2000-3 by First Class Motors with the following conditions:

1. There will be a one way entrance and a one way exit to the property.
2. The Use By Special Review is non-transferable by either the landlord or the owner of First Class Motors.
3. Landscaping must be maintained.
4. There will at no time be more than 46 cars in inventory, 4 employee cars, and 10 customer cars or a total of 60 cars on the property.
5. The South side of the lot will be customer parking only.
6. The use will be granted for a period of 3 years.

Clarence Krieger seconded. 7 aye. 0 nay. Motion carried.

Mayor Warren closed the zoning hearing and resumed the regular meeting.

**Weld County Planning**

**A. PUD**

Sam Pluss, owner of P & A Turkey Farms had applied to Weld County Planning for a ten lot PUD south of and adjacent to WCR 52; west of and adjacent to WCR 49. They want to convert a 106-acre agricultural site into ten single-family residential lots with an 89.65 acre open space that can remain in agricultural production. The residential lots will consist of five 1 acre lots and five 2 acre estate lots. Dennis Kendrick moved and Clarence Krieger seconded to reply that we have reviewed the request and find no conflicts with our interests. 7 aye. 0 nay. Motion carried.

**B. Recorded Exemption**

Lawrence & Suzanne Johnson had applied for a recorded exemption to split approximately 2 acres from a 7.4 acre parcel at 22601 Highway 34 to allow for a family member to build an additional residence at that location. This is approximately 2 miles east of Greeley on Highway 34. Betty Warren moved and Dixie Hill seconded to reply that we have reviewed the request and find no conflicts with our interests. 6 aye. 1 nay. Motion carried.

**Signs**

We have received estimates for signs for the new zoning code. The Clerk brought this to the Board to avoid the appearance of possible conflict of interest since one of the estimates was from a relative. Eddie Miller moved to purchase one zoning change sign and one use by special review sign from the low bidder, Affordable Signs. Betty Warren seconded. 7 aye. 0 nay. Motion carried.

**CML Dues**

Colorado Municipal League dues for 2001 are \$900. This is an increase of \$54.81 over 2000 dues. Betty Warren moved and Clarence Krieger seconded to remain a member of CML and pay CML \$900 for the 2001 dues. 7 aye. 0 nay. Motion carried.



## **Reports**

### **A. CIRSA Meeting**

Betty Warren reported that the CIRSA safety meeting she attended in Woodland Park was very informative. Betty volunteered for the task force to set the criteria for the safety standards for CIRSA members. She will be traveling to various areas of the state to represent our interest and the interest of other small towns.

### **B. Court Clerk Salary**

We are now paying our Court Clerk \$16.19 an hour, which is an increase of \$1.35 an hour (or 9.1% increase).

### **C. Insurance**

The Clerk had not been able to find health insurance for under \$566 a month. She and her husband are paying \$326 for insurance for both of them through Monfort COBRA. Even though he is on Medicare because of his disability, they we will stay on COBRA so she can be insured. Since it is only costing the town \$149 for her portion of thier insurance, they will just stay on that for as long as possible.

### **D. Requests for Proposals**

We have advertised an RFP in The Greeley Tribune, McGraw Hill Construction Publication and Daily Construction Journal in Denver. We also mailed the advertisement to some architects. RFPs are due in our office by October 16, 2000. At that time we will open the proposals and start the process of choosing and contracting with an architect for the town hall. When the proposals come in the Board members can come to the Town Hall to look at them so we can make some decisions at the next Board meeting. Vince Loftus asked the Board to consider keeping the paint and body shop building instead of removing it to put a new building there. Clarence Krieger stated that he did not think we should have a park or a playground.

### **E. CML District Meeting**

The 2000 CML District 2 meeting will be a Hawaiian Luau at the Mad Russian in Milliken on Thursday, October 12<sup>th</sup>. The fee is \$20 per person. All elected and appointed officials and their spouses are encouraged to attend.

## **2001 Budget**

The Clerk presented a preliminary budget for 2001.

**Other Board Issues**

**Invoices**

**A. Environmental Consulting**

Betty Warren moved to pay Mahoney Environmental Consulting \$950 for the environmental assessment of 2714 7<sup>th</sup> Avenue. Dennis Kendrick seconded. 7 aye. 0 nay. Motion carried.

**B. A Woman's Place**

Betty Warren moved and Eddie Miller seconded to establish a domestic abuse prevention program and to pay A Woman's Place \$150 to administer that program. 7 aye. 0 nay. Motion carried.

**C. Weld County Municipal Records Coalition**

The Weld County Municipal Records Coalition has been working since February to establish a county wide records retention schedule that has the potential to ultimately be adopted as a state wide retention schedule. We are now at the point of hiring consultants to write the retention schedule and to help the municipal clerks inventory, sort & store the permanent records and destroy the records that can be destroyed. The Coalition is asking for a commitment of \$1,500 from Garden City. Eddie Miller moved to approve the commitment of \$1,500 for the Weld County Municipal Records Coalition. Dixie Hill seconded. 7 aye. 0 nay. Motion carried.

Eddie Miller reported that there are times that the bus stops when Seis Rosas is closed so the passengers do not have access to the bathrooms that are inside. Some of the passengers are going to surrounding businesses just to use (and often trashing) the bathrooms. Other passengers are urinating in public. Don Hoff asked Eddie Miller to keep track of the times the bus comes to Seis Rosas for the next week or two. We will check the agreement that we have with El Paso Limousine Service for the Use By Special Review.

Dennis Kendrick reported that there are several vehicles speeding on 9<sup>th</sup> Avenue.

Since there was no further business, Mayor Warren adjourned the meeting at 9:12 P.M.

Respectfully Submitted by: Janice Walter  
Janice Walter, Clerk