

Town of Garden City Minutes

May 20, 2008

Regular Meeting

Mayor Miller called the meeting to order at 7:30.

Mayor Eddie Miller and Trustees, Terry Greenwood, Mary Miller, Dennis Kendrick, Lonelle Archuleta, Nina Kendrick and Clarence Krieger were present. Staff present was: Don Hoff, Town Attorney; Janice Walter, Deputy Clerk; and Commander Parkos and Commander Pat Hauge, Evans Police Department. Also in attendance were: Fil Archuleta, 2706 8th Avenue; Laurie Behring, Goodtime Towne Tavern; William Hubbard, 2710 6th Avenue Lane; Lisa Donley, Thee Working Class; Kitty Kinoshita, Vicki Hoffner and Steve Brunt.

Consent Agenda

- a. Minutes of Regular Meeting April 15, 2008
- b. Treasurer's Reports for March 2008 Including Paying Bills
- c. Treasurer's Reports for April 2008 Including Paying Bills
- d. Happy Life Gardens - \$282.39
- e. Tree Care Unlimited for weed spray - \$700

Nina Kendrick asked about the bill from Tree Care Unlimited since we don't spray trees. The Deputy Clerk stated that the name of the company is Tree Care Unlimited but the work they did for us was spraying weeds. Nina Kendrick moved to approve the consent agenda. Clarence Krieger seconded. 7aye. 0 nay. Motion carried.

Public Invited to Be Heard

Mayor Miller opened the meeting to any comments from the public. There were none.

Attorney Report

Don Hoff presented a personnel policy and job descriptions for the Board to consider.

Police Report

Operations Commander Parkos introduced Administrative Commander Pat Hauge. Commander Parkos stated that 2 new officers will be starting this week. There has also been an increase in traffic citations. Lonelle Archuleta asked about the LaSalle Police responding to an assault call

behind the Stagger Inn. Commander Parkos explained that they have mutual aid agreements with the police departments from Greeley, LaSalle, Kersey, UNC, and even as far away as Gilcrest and Ault. Dennis Kendrick asked if the Evans Police issue citations for watering schedule violations. Commander Parkos stated that the City of Greeley has water code enforcement. Clarence Krieger affirmed that the Greeley water police come to Garden City also.

The Tavern – Special Consideration for Music in Beer Garden

Laurie Behring asked the Board to continue allowing outside speakers in the Goodtime Towne Tavern beer garden. Laurie will be holding a poker run at the Tavern in June for the benefit of Stan Pettengill, owner. Stan has had to have a very large cyst removed and his hospital bill is over \$100,000. Last year the Board approved a motion to allow outside speakers in The Tavern beer garden as long as there were not any complaints. Don Hoff recommended that the permission only be granted for a year at a time. Eddie Miller was concerned that other businesses make the same request. Terry Greenwood stated that we could not allow outside speakers in a residential area. Dennis Kendrick moved to approve the use of outside speakers on a year at a time bases at Goodtime Towne Tavern as long as there are no complaints. Lonelle Archuleta seconded. 7 aye. 0 nay. Motion carried. Lonelle Archuleta commended Stan Pettengill for not serving intoxicated persons and paying for a taxi to take them home.

Thee Working Class Public Hearing for New Tavern License

LDFG, LLC dba Thee Working Class had applied for a tavern liquor license at 2619 8th Avenue. Application date was April 18, 2008. Notice of hearing had been posted and published. Members of the LLC are Lisa G. Donley, 1020 48th Avenue, Greeley and Frank C. Gomez, 4606 Yellowstone Drive, Greeley, CO. All fees had been paid for a tavern liquor license with live entertainment. Clarence Krieger moved and Nina Kendrick seconded to approve a liquor license for Thee Working Class. 7 aye. 0 nay. Motion carried. The deputy clerk reminded Lisa that when they are finished remodeling, we will need a copy of the Weld County Health License and an inspection by the building inspector and fire department.

Ordinance No 3-2008 Readopting by Reference Portions of Evans Code

Don Hoff explained Ordinance No. 3-2008, an ordinance readopting by reference portions of Evans Code, adding section 5.08.125 to allow alcohol

beverage tasting events at retail liquor businesses, increasing the surcharge for security and adopting the secondary code, the Model Traffic Code for Colorado 2003. Dennis Kendrick moved to adopt Ordinance No. 3-2008. Lonelle Archuleta seconded. Roll call vote:

Dennis Kendrick, yes	Mary Miller, yes
Lonelle Archuleta, yes	Clarence Krieger, yes
Terry Greenwood, yes	Nina Kendrick, yes
Mayor Eddie Miller, yes	

Ordinance adopted.

Resolution No. 2-2008 to Increase Municipal Court Surcharge

Don Hoff explained Resolution No.2-2008, a resolution to increase the Municipal court surcharge by \$10 to help pay for security at the municipal court. Dennis Kendrick moved and Lonelle Archuleta seconded to adopt Resolution No. 2-2008. Roll call vote:

Clarence Krieger, yes	Terry Greenwood, yes
Nina Kendrick, yes	Mary Miller, yes
Lonelle Archuleta, yes	Dennis Kendrick, yes
Mayor Eddie Miller, yes	

Resolution adopted.

All About Autos Business License

All About Autos was issued a business license in March but the property is in a business zone. Used car lot is a use by special review in a business zone. There never was a public hearing and the Building & Zoning Official was never asked about granting this license. There are concerns that they are parking in the alley again and there has been an increase in vehicles. Don Hoff explained that he had been trying to contact Vernice Thompson but has not heard from her yet. The Board agreed to table this issue until the June meeting.

Deputy Clerk Time, Pay, Duties

At last month's meeting a motion was made to reduce the deputy's pay to \$15 an hour and for her to work 32 hours a week but there was no second and no vote. Dennis Kendrick moved to reinstate Janice to the same position as before wage wise, time wise and benefit wise retroactive to when she took over. Janice replied that for no longer than she would be here she did not expect to receive benefits again. Lonelle Archuleta seconded. 7 aye. 0 nay. Motion carried.

Park at 2712 6th Avenue Lane

Don Hoff reported that he offered the owner \$35,000 for the property at 2712 6th Avenue Lane and he was not very impressed with it but he did not say no. He asked the Board if they were still interested in pursuing that property after viewing it. Clarence Krieger and Terry Greenwood stated that it would be better to have the property right next door. The properties are about the same price and both would require some demolition. Dennis Kendrick suggested giving Don Hoff the authority to negotiate with both owners and see what would be the best deal. The Board agreed.

Job Applications

We received several applications for the Clerk/Treasurer position. Clarence Krieger objected to advertising the position when the salary and the benefits have not been voted on. Terry Greenwood said we needed to set the salary now. Don Hoff stated that we should do the interviews and see what they expect first. The advertisement stated that the salary would be between \$30,000 and \$35,000 a year depending on qualifications and benefits negotiable. The Board agreed to do the interviews, then set an offer and evaluate their progress after 6 months. Lonelle Archuleta moved and Terry Greenwood seconded to set a special meeting for June 2, 2008 at 4:00 PM to interview some of the applicants. 7 aye. 0 nay. Motion carried.

Announcements

a. Name Change to High Plains Library

We have received notice that the Weld County Library District has changed its name to High Plains Library District.

b. Comcast Rate and Line Up Change

Effective June 1, 2008 Comcast will implement several changes to their equipment and service charge rates. Effective on or around June 17, 2008 Comcast will add KGWN to the channel lineup serving Garden City. KWGN will be channel 250.

c. Liquor Sales Allowed on Sundays

We have received notice from the State that effective July 1, 2008 the retail sales of alcoholic beverages in sealed containers will be allowed on Sundays.

d. NFRMPO Meetings and Update

North Front Range Transportation & Air Quality Planning Council held a meeting on May 1. Cliff Davidson sent an update on the MPO activities. They have created a Regional Taxing Authority steering committee to try again to get the communities to approve a ballot measure. The MPO's

modeling has been updated for the 2035 Regional Transportation Plan Update. He also included a list of projects and work tasks. All of the lengthy work tasks benefit the MPO members by helping to qualify for federal or state funding, access management plans, enhancement funding, and increased resident participation in the VanGo and CarGo (vanpooling and carpooling) programs. An overall MPO goal is to share costs and leverage federal and state funding. There will be a joint meeting between RAQC and MPO council on Wednesday, June 25 from 4:00 PM to 7:30 PM in Frederick.

Other Board Issues.

Nina Kendrick stated that former Mayor Bob Warren had passed away and moved that we send flowers to his memorial. Dennis Kendrick seconded. 7 aye. 0 nay. Motion carried

Dennis Kendrick asked where the Handicap signs were. Kitty stated they were next to the neighborhood watch signs. Nina Kendrick moved that the handicap signs be placed on 9th Avenue, 8th Avenue, 26th Street and in the alley behind Village Inn.

Kitty Kinoshita stated that she was present to clear the air about last month's meeting. She denied the allegations that she had done anything wrong, that she had been told in July by 2 board members to pay herself retroactive from the first of May to May 15, 2007 when the motion was made to pay her an additional \$5 an hour, and that the only errors she made were as follows: November Minutes; January Minutes - although not all corrections requested were right; Treasurer Report; and April Treasurer's report for omitting ColoTrust interest. She stated that those are the mistakes that she made. Kitty also felt that one of the reasons that she was defensive was because of the deputy clerk's actions. She was also defensive because the Board would ask the deputy questions instead of her. Kitty also requested that we find someone to transcribe the tape from the April meeting at a lower price.

The deputy clerk asked the Board to return to her concerns about hours, repairing election files even though the deputy was not here during election, purchasing a new paper shredder and regular office supplies, reimbursement of some expenses, ongoing one day workshops for training that costs about \$20, Clerk's institute in July is a full week of training classes and is about \$850, streets need to be swept. Lonelle Archuleta

moved to authorize Janice to have the streets swept, to perform such clerk duties that may be necessary to complete the election documentation, to buy a shredder and office supplies, and to pay for registration for training that may be necessary for a new Town Clerk. Nina Kendrick seconded. 7 aye. 0 nay. Motion carried. The deputy is also having trouble sticking to exactly 32 hours a week and asked if she could have some flexibility. Nina Kendrick moved that the deputy have the flexibility to work more or less hours as needed and try to average about 32 hours a week. Lonelle Archuleta seconded. 7 aye. 0 nay.

Since there was no further business, Mayor Eddie Miller adjourned the meeting at 8:45 P.M.

Respectfully Submitted by _____
Janice Walter, Deputy Clerk