

Town of Garden City Minutes

July 21, 2009

Regular Meeting

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

Mayor Eddie Miller and Trustees; Terry Greenwood, Brian Seifried, Lonelle Archuleta, Dennis Kendrick, Fil Archuleta and Clarence Krieger were present. Staff present was: Don Hoff, Town Attorney; Cheryl Campbell, Clerk; Michelle Fisher, Deputy Clerk; Commander Pat Haugse, Sergeant Troy McDaniel, Evans Police Department. Also in attendance were: Lee Heinze and Ronica Rueb from The White Horse Inn; Lisa Donley from Thee Working Class Bar.

**Consent Agenda**

- a. Approve Minutes of Regular Meeting June 16, 2009
- b. Approve Treasurer’s Report for June 2009 Including Paying Bills
- c. Approve Renewal of Sam’s Club Membership
- d. Approve Renewal of IIMC Membership
- e. Approve Clerk’s PTO Request September 17-28, 2009
- f. Approve Watkins and Schommer Engagement Letter for 2009 Audit

Don Hoff, Town Attorney advised the Board to remove item f. from the Consent Agenda as that item required a roll call vote. Lonelle Archuleta moved and Dennis Kendrick seconded to approve items a. through e. of the consent agenda. 7 Aye. 0 Nay. Motion carried. Lonelle Archuleta moved and Clarence Krieger seconded to accept the engagement letter from Watkins and Schommer, Inc for the 2009 audit at a cost of \$3500.00. A roll call vote was taken:

Eddie Miller	Yes	Terry Greenwood	Yes	Lonelle Archuleta	Yes
Brian Seifried	Yes	Dennis Kendrick	Yes	Fil Archuleta	Yes
Clarence Krieger	Yes				

7 Aye. 0 Nay. Motion carried.

**Public Not on the Agenda Invited To Be Heard**

Mayor Miller asked the audience to introduce themselves and invited public comment. There was none.

**Police Report**

Commander Pat Haugse addressed the Board regarding statistics for the month of June 2009. Clarence Krieger asked the commander to explain why the police are ticketing motorists for parking facing the wrong direction. Commander Haugse explained that the law reads that motorists must park facing the direction of traffic. Attorney Don Hoff explained that in order for a motorist to park facing the wrong direction, they had to cross over the oncoming lane which results in them driving the wrong way on the street. Dennis Kendrick asked if maybe there should have been a warning to the motorist first giving her a chance to correct the behavior before a ticket was issued. Commander Haugse stated that he would check into the incident. He advised the Board that this was another step in tightening code enforcement. He gave the Clerk applications for the Citizen Ride-Along Program being offered by the Police Department.

**White Horse Inn – Request for Assistance**

Ronica Rueb and Lee Heinze were present to address the Board regarding their request for financial assistance from the Town on their parking lot paving project. There are portions of the parking lot on the south and west side of the bar that are in the right-of-way. The Board discussed several possibilities and decided to create a program similar to the Commercialization and Revitalization Grant to include parking lot resurfacing which provides a 50% match of costs up to \$6000.00 or a maximum reimbursement of \$3000.00. Don Hoff will have the ordinance available for review at the August 18, 2009 regular meeting. A roll call vote was taken:

Eddie Miller	Yes	Terry Greenwood	Yes	Lonelle Archuleta	Yes
Brian Seifried	Yes	Dennis Kendrick	Yes	Fil Archuleta	Yes
Clarence Krieger	Yes				

7 Aye. 0 Nay. Motion carried.

**Liquor Licensing Issues**

**a. Everyday Store 3.2 Beer License Renewal**

There was no-one present from the Everyday Store. The Clerk will contact the owner and put the item on the agenda for the August 18, 2009 regular meeting.

**b. Thee Working Class Bar Liquor Violation**

Lisa Donley was present to address the Board and answer questions regarding the violations dated June 12 and June 27, 2009. Also the State Liquor Investigator called the Clerk's Office on June 4, 2009 to report smoking by all patrons and staff at the bar on his visit that same day. Lisa assured the Board that she was enforcing the no-smoking law and that she now had the patio open for smokers. Terry Greenwood moved and Clarence Krieger seconded to not take any action on Thee Working Class Bar's Liquor License at this time. 7 Aye. 0 Nay. Motion carried.

**Park Update**

The Clerk advised the Board that the GOCO Grant application is due August 26, 2009. We will offer an opportunity at National Night Out for public comment. The Board agreed that the garage will stay on the 6<sup>th</sup> Avenue Lane property and be utilized possibly as a shelter. The Clerk will call Melainie Ames at CSU to see if the plans will be ready for public review for National Night Out. Don Hoff, Attorney advised the Board that he has heard from the owner of the 7<sup>th</sup> Avenue property and he is firm on his asking price of \$55,000.00. The 6<sup>th</sup> Avenue Lane property owner is negotiating with the FDIC which assumed his loan when New Frontier Bank closed. He will contact Don when he has a purchase price. We may have to have a Special Meeting next week.

**Garden City Web Site**

Brian Seifried reported that he has chosen Momentum Design and Development to design and construct the Web Site. He is waiting for the company to provide a start date for the project.

**Schedule Clerk's One Year Review**

The Board received copies of the Clerk's one-year evaluation form to be completed and returned to the Mayor.

**Attorney Report**

Don Hoff, Town Attorney had nothing further to report.

**Flu-Shot Clinic**

The Flu-Shot Clinic is tentatively scheduled for October 14, 2009 from 10 Am – Noon. Lonelle Archuleta moved and Dennis Kendrick seconded to approve the Flu-Shot Clinic as scheduled. 7 Aye. 0 Nay. Motion carried.

**City of Evans Code Enforcement Changes**

Commander Haugse and Sergeant McDaniel addressed the Board and answered questions regarding the new code enforcement ordinance in Evans. The ordinance includes strict time-lines for property owners to comply with the code and steep penalties for non-compliance. Terry Greenwood voiced concern regarding property owners not being notified or being out of town and incurring fines and charges for non-compliance. One of the penalty phases states that, after a certain number of days of non-compliance, the Town could hire a contractor to bring the property into compliance and bill the property owner. If the property owner does not pay the charges incurred by the Town, a lien is placed on the property. Code Enforcement Officers are reporting difficulty in working between two different codes and prefer that Garden City adopt the Evans Code to ensure consistent and effective enforcement. The Board asked to have the ordinance in their packet for review for the August 18, 2009 regular meeting.

**National Night Out Planning Details Including Alcohol Question**

Lonelle Archuleta raised the question “should alcohol be allowed at National Night Out?” She stated that serving alcohol goes against all that the event is supposed to represent. Terry Greenwood moved and Clarence Krieger seconded to have National Night Out held in the same manner as it has always been including serving alcohol. A roll call vote was taken:

Eddie Miller	Yes	Terry Greenwood	Yes	Lonelle Archuleta	No
Brian Seifried	Yes	Dennis Kendrick	Yes	Fil Archuleta	No
Clarence Krieger	Yes				

5 Aye. 2 Nay. Motion carried.

Lonelle Archuleta announced that she will not participate because she is not in favor of the Town serving alcohol.

**Announcements**

Comcast is moving ESPN Classic Channel 403 from the Digital Classic Package to the Sports Entertainment Tier effective July 31, 2009.

**Other Board Issues**

Dennis Kendrick reported that the pick-up parked behind the old JD Byrider building is being vandalized. Commander Haugse stated that he will check into this. Brian Seifried reported that he has Spanish speaking staff that can help the Clerk’s Office translate the flyer for National Night Out into Spanish.

**Adjourn**

Since there was no further business, Clarence Krieger moved and Dennis Kendrick seconded to adjourn.

7 Aye. 0 Nay. Motion carried. Mayor Eddie Miller adjourned the meeting at. 9:10 PM.

Respectfully Submitted by \_\_\_\_\_  
Cheryl Campbell, Clerk