

Town of Garden City Minutes

April 19, 2022

Regular Meeting

Mayor Fil Archuleta called the meeting to order at 5:30 P.M.

Fil Archuleta was sworn into the office of Mayor. Leigh Sorensen, Tim Costello, Sam Parsons, and Katherine Rodriguez were sworn into the office of Trustee.

Mayor Fil Archuleta and Trustees Tim Costello, Alex Lopez, Leigh Sorensen, Katherine Rodriguez, Sam Parsons and Gary Sorensen were present. Staff present: Interim Town Administrator Cheryl Campbell; Deputy Town Clerk Lindsay Waters; Public Works Director Brett Bloom; Police Chief Jeremy Black; Town Attorney James Godbold. Also present were Anabel Perez and Darwin Orellana from 630 26th Street, Kurtis Paradisa from Atmos Energy, and Tucker Eldridge from Nature's Herbs and Wellness.

Consent Agenda

- a. Approve Minutes from April 4, 2022 Regular Meeting
- b. Approve Minutes from April 12, 2022 Special Meeting
- c. Approve March 2022 Treasurer's Report
- d. Approve Paid Bills
- e. Approve Bills To Be Paid

Alex Lopez moved, and Leigh Sorensen seconded to approve the Consent Agenda, items a. – e. 7 Aye. 0 Nay. Motion carried.

Public Not On The Agenda Invited To Be Heard

There was none.

Public Hearing Regarding USR 2022-02

The Mayor adjourned the regular meeting and opened the Public Hearing regarding URS 2022-02

USR is a Use By Special Review Application to allow a church in the commercial zone. Anabel Perez translated for Pastor Darwin. Pastor Darwin informed the Board there will be 25 parking spaces and approximately 40 members at the church. The only alterations they are doing to the building is changing the bathroom location to the back of the building and painting the trim. Attorney James Godbold explained the zoning issues, where in the commercial zone a church is normally not permitted. The Board did not have an issue with granting the Use By Special Review Application. Pastor Darwin is looking forward to being involved with the community.

The Mayor adjourned the Public Hearing and resumed the Regular Meeting at 5:50PM.

Consider Land Use Application USR2022-02

Pastor Darwin submitted a letter to the Board requesting the \$800 fee for the application be waived.

Sam Parsons moved, and Tim Costello seconded to approve Land Use Application USR2022-02 and waive the \$800 fee.

7 Aye. 0 Nay. Motion carried.

Marijuana Licensing Issues

- a. Report of Changes for a Modification of Premise Application – Nature’s Herbs & Wellness 522 27th Street.

Tucker Eldridge represented Nature’s Herbs. Nature’s Herbs is planning to absorb second floor space into the licensed premise, add additional cameras to the space, and absorb the medical cultivation area into the recreational licensed premise. 3600 square feet of extra room was created when a new roof was installed. Nature’s also wants to add two drive thru windows and absorb medical and recreational sides into one address.

Gary Sorensen moved, and Tim Costello seconded to approve Report of Changes for a Modification of Premise Application for Nature’s Herb & Wellness.

7 Aye. 0 Nay. Motion carried.

Commercial Revitalization Grant Application – American Steel 2733 8th Avenue

Representatives from American Steel were not present.

Alex Lopez moved, and Tim Costello seconded to continue American Steel’s Commercial Revitalization Grant Application to the May 3, 2022 meeting.

7 Aye. 0 Nay. Motion carried.

Commercial Revitalization Grant Application – Greeley Hat Works 2613 8th Avenue

Trustee Tim Costello recused himself from this item. Trent Johnson, owner of Greeley Hat Works, represented the business. They are applying for the grant to add signage to the south side of the building and reface their existing pole sign.

Alex Lopez moved, and Sam Parsons seconded to approve the Commercial Revitalization Grant Application in the amount of \$8,000 for Greeley Hat Works.

6 Aye. 0 Nay. Motion carried.

Tim Costello re-entered the meeting.

Tree Grant Application – Lowell Ferguson 2704 7th Avenue

During the last windstorm, the tree in Mr. Ferguson’s yard dropped a large limb into his driveway and blocked him from getting out of the driveway. The Town made the decision to remove the branch and remove the rest of the tree, as it was dead and entangled in power lines and a danger to neighbors and the homeowner. Menjivar Tree Service was called to remove the tree. The Tree Grant will cover \$800 of the \$1,300 total from the Tree Service.

Leigh Sorensen moved, and Sam Parsons seconded to approve the Tree Grant Application to Lowell Ferguson and pay the remainder from the General Fund.

7 Aye. 0 Nay. Motion carried.

Approve Contract for 2022 Mosquito Spraying

The Board discussed the benefits of the mosquito spraying last year and even with the slight price increase this year, decided it would be for the benefit of the Town to approve the contract with Vector Disease Control International LLC.

Sam Parsons moved, and Katherine Rodriguez seconded to approve the contract for 2022 mosquito spraying.

7 Aye. 0 Nay. Motion carried.

First reading of Ordinance 02-2022 An Ordinance Granting A Franchise By The Town of Garden City, County Of Weld, Colorado To Atmos Energy Corporation, Its Successors And Assign, The Right To Furnish, Sell And Distribute Gas To The Town And To All Persons, Businesses And Industries Within The Town And The Right To Operate And Extend Into, Within And Through Said Town All Facilities Reasonably Necessary To Furnish, Sell And Distribute Gas To The Town And To All Persons, Businesses And Industries Within The Town And In The Territory Adjacent Streets And Other Public Places As May Be Necessary, And Fixing The Terms And Conditions Thereof.

Kurtis Paradisa, Manager of Public Affairs for Atmos, addressed the Board regarding a few items from the ordinance. He elected to read the Ordinance aloud in lieu of the Deputy Clerk. No other action was taken.

Consider Weld County Referral #LLA22-0014

This item is for lot line adjustments in the RV Park on HWY 34.

Leigh Sorensen moved, and Alex Lopez seconded to answer “No conflicts with our interests” to Weld County referral LLA22-0014.

7 Aye. 0 Nay. Motion carried.

Approve J&T Consulting Inc’s Proposal for 2022 Street Rehabilitation Construction Management in the amount of \$38,850.00

This is for J&T Consulting’s Proposal for Construction Management for the 2022 Street Rehabilitation Project.

Tim Costello moved, and Sam Parsons seconded to Approve J&T Consulting Inc’s Proposal for 2022 Street Rehabilitation Construction Management in the amount of \$38,850.00.

7 Aye. 0 Nay. Motion carried.

Appoint Officers for the 2022-2023 Term

a. Adopt Resolution No. 10-2022 A Resolution Appointing Cheryl Campbell as Town Administrator and Town Clerk Pursuant to C.R.S. 31-401-304

Gary Sorensen moved, and Alex Lopez seconded to Adopt Resolution No. 10-2022 A Resolution Appointing Cheryl Campbell as Town Administrator and Town Clerk Pursuant to C.R.S. 31-401-304.

Fil Archuleta-Yes, Gary Sorensen-Yes, Tim Costello-Yes, Alex Lopez-Yes, Katherine Rodriguez-Yes, Sam Parsons-Yes, Leigh Sorensen-Yes.

7 Aye. 0 Nay. Resolution 10-2022 adopted. Cheryl Campbell appointed.

b. James Godbold – Town Attorney

Leigh Sorensen moved, and Tim Costello seconded to reappoint James Godbold as Town Attorney.

Gary Sorensen-Yes, Fil Archuleta- Yes, Katherine Rodriguez-Yes, Alex Lopez-Yes, Sam Parsons-Yes, Leigh Sorensen-Yes, Tim Costello-Yes.

7 Aye. 0 Nay. Motion carried. James Godbold reappointed.

c. Michael Stewart- Municipal Judge

Sam Parsons moved, and Tim Costello seconded to reappoint Michael Stewart as Municipal Judge. Leigh Sorensen-Yes, Alex Lopez-Yes, Tim Costello-Yes, Gary Sorensen-Yes, Fil Archuleta-Yes, Katherine Rodriguez-Yes, Sam Parsons-Yes.

7 Aye. 0 Nay. Motion carried. Judge Michael Stewart reappointed.

Consider Removal of Bollards on the West Side of 8th Avenue between 25th and 26th Streets

Public Works Director Brett Bloom spoke on this item. He has had to replace the bollards in front of Greeley Electric and Lucero’s Event Center three times each in the last year. Replacing one

bollard can cost the Town up to \$1,500. These businesses are not part of Garden City limits and have stated they do not like the bollards outside their businesses. Brett wants to remove the bollards and have At Your Service Electric cap the wires.

Leigh Sorensen moved, and Tim Costello seconded to approve the removal of the bollards on the West Side of 8th Avenue between 25th and 26th Streets.

7 Aye. 0 Nay. Motion carried.

Consider Xeriscaping the Grass Strip on the South Side of Town Hall Parking Lot

Brett Bloom worked all last year to save the grass in front of Town Hall. It is an eight-foot-wide strip. The grass either has a disease or insect and needs to be replaced. Brett said he would look into ideas to replace. There is also a tap that is underneath the driveway that is slowly leaking. Cheryl Campbell stated that it is from the old Town Hall. Brett will be looking in to securing that tap so it doesn't leak and compromise the pavement.

Sam Parsons moved, and Tim Costello seconded to approve xeriscaping the grass strip on the south side of Town Hall parking lot and fixing the tap underneath the driveway.

7 Aye. 0 Nay. Motion carried.

Consider Moving First Farm CD to Stifel Investments

First Farm's interest rate is currently .015% and Stifel Investments is offering approximately 2%.

Tim Costello moved, and Leigh seconded to approve moving the First Farm CD to Stifel Investments.

7 Aye. 0 Nay. Motion carried.

Approve Release of Obsolete Tasers to Nunn Police Department

Garden City Police Department recently acquired newer tasers and Nunn Police Department is requesting the old ones. The old tasers are functional and will work for Nunn. Garden City will keep several of the old tasers for inventory in case of equipment loss.

Sam Parsons moved, and Tim Costello seconded to approve the release of obsolete tasers to Nunn Police Department.

7 Aye. 0 Nay. Motion carried.

Staff Reports

a. Town Administrator

Town Administrator Cheryl Campbell relayed to the Board that there is \$5.5 million in the checking account and asked them if they are worried about having "all eggs in one basket". Cheryl is worried that the amount is not protected by the FDIC. The Board decided to bring Joe Nally in from Stifel Investments to talk more about the issues. She advised that the Xcel bill for fixing the streetlight was \$3,300. This was not budgeted for this year, making note to budget for things like this next year. Danielle Morado will be back on Monday.

b. Police Chief

Police Chief Jeremy Black advised the Board that there have been 1100 calls for service since January 1, 2022. He is expecting 4,500-5,000 calls for service for the year. He is keeping an eye on the fentanyl legislation that is moving through the system. Fentanyl is being recriminalized. Over the past 2 ½ weeks Garden City Police have seized over 100 pills of fentanyl. El Bandito Night Club has had a few calls for service that the Chief is investigating.

c. Public Works Director

Public Works Director Brett Bloom advised the Board that the fence next door, at the Krieger residence, blew over in the strong winds. He is looking at quotes to put up a new fence since the fence is the Town's. He advised that a rolling curb on 27th Street Road would cost \$143,028 and

\$86 per driveway which equals \$150-160 per linear foot. He put up the new Compact Car Parking Only signs. He has yet to put the one up in front of Just My Imagination Tattoo. He is still waiting on a few more signs and road barricades to be delivered.

d. Town Attorney's Report

Attorney James Godbold reported that CIRSA has approved Andy Nathan to amend the Business License and Security License Codes and possibly the liquor code. He has reached out to Evans for a release and waiver for R&M of 28th Street.

Consider Orozco Security Agency LLC Licensing Issues

Attorney James Godbold has sent a settlement to Orozco's attorney and is awaiting response. The settlement includes a reinstatement of the license with a nine-month period of review. In the settlement it is stated that if a situation like this occurs again, Orozco will not be able to use this occurrence as a claim for retaliation. Orozco has completed the TIPS Training course assigned to defer and seal his criminal case.

Alex Lopez moved, and Leigh Sorensen seconded to approve a motion to allow the Town Attorney to finalize the terms of the proposed settlement with Alex Orozco on suspension of his licenses, granting reinstatement of his licenses subject to a 9 month period of review without additional infractions, and with a full release of claims by Alex Orozco and an agreement not to use the settlement as evidence in any claim for retaliation if his licenses are suspended in the future, and with such modifications and additions as the Town Administrator, in consultation with Legal Counsel, determines to be necessary and appropriate to protect the interests of the Town.
7 Aye. 0 Nay. Motion carried.

Other Board Issues

Bootleggin Days BBQ issues. Cheryl Campbell advised the Board that their normal \$2,000 for the free BBQ would not be enough with rising prices of product. The Board is considering other ideas in lieu of the BBQ. The Saturday event for Bootleggin Days will be approved at the next meeting. The Board wants to have a live band on Friday night of Bootleggin Days. Staff will look into UNC's music program and other options and report back at the next meeting.

Announcements

- a. CIRSA Elected Officials Training is Thursday April 28, 2022 at 5:30 PM
- b. Wine and Paint is Saturday April 30, 2022
- c. FCPA Final Reports are due May 5, 2022

Adjourn

Since there was no further business, Sam Parsons moved, and Leigh Sorensen seconded to adjourn the meeting.

7 Aye. 0 Nay. Motion carried.

Mayor Fil Archuleta adjourned the meeting at 7:35 p.m.

by _____