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## REGULAR COUNCIL MEETING

The City Council of the City of Las Animas, County of Bent, State of Colorado, met in regular session in the City Council chambers on Tuesday, February 12, 2019, at 7:01 p. m. There being present at roll call were the following members:

Mayor: Jim Collins

Council members: Troy Abdulla

David Armstrong

Janice Cline

Eloy Salazar

Frank Schmeiser

Robert Sonny Smith

Youth Advisor: Steven Salazar Jr.

Mayor Jim Collins declared a quorum present.

Others Present:

Nancy Billings Gerlock: Bent County Democrat Newspaper

Greg Champney: Code Enforcement Officer

Ron Clodfelter: Superintendent of Light & Power

Calvin Feik: Interested Citizen

Sammie George: Bent County Development Foundation

Terry Kim: Interested Citizen

Roland Loveless: Interested Citizen

Janice Lusk: Interested Citizen

Sky Maes: Interested Citizen

Randy Mc Dermed: Interested Citizen

Dennis Mattoon: Interested Citizen

Andrew Montoya: Interested Citizen

Belinda Norris: Interested Citizen

Eric Pearson: Interested Citizen

Jenanne Pearson: Interested Citizen

Russell Prazak: Interested Citizen

Rose Pritchard: Interested Citizen

Rick Rigel: ARPA

Manuel Sanchez: Interested Citizen

Eric Stowell: Interested Citizen

Richard Stwalley: Interested Citizen

Mary Tuttle: Deputy City Clerk

Charmaine Tripp: City Clerk & Treasurer

Samuel Vigil: City Attorney

Ken Wagner: Public Works Director

**PLEDGE OF ALLEGIANCE**

Mayor Jim Collins asked Wick Turner to lead the group in the Pledge of Allegiance.

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**DISPOSITION OF MINUTES**

Councilman Eloy Salazar moved, Councilman Troy Abdulla seconded to approve the Minutes of the regular meeting of January 08, 2019 as presented. On a voice vote, Mayor Jim Collins declared the Motion carried.

**CITIZEN PARTICIPATION:** a. Rick Rigel-Arkansas River Power Authority Power Supply Proposals

Mayor Jim Collins recognized Rick Rigel from the Arkansas River Power Authority. Mr. Rigel handed out a small packet concerning power supply proposals. Mr. Rigel explained the Tri-state proposal. The power would be supplied by Southeast Colorado Power. Discussions are continuing with other member cities and Tri-state. There is an alternate approach to see what the market has to offer. The next steps involve making a decision whether to proceed with the Tri-state offer. Mr. Rigel stated that he is still working on the proposal.

b. Sammie George-Bent County Development Foundation

Mayor Jim Collins recognized Sammie George from the Bent County Development Foundation. Mrs. George stated that she has been working on a project at the golf course to install an 18 hole disc golf course that would work in conjunction with the ball golf course. She presented her plan to the golf course board and they were receptive to the idea. She is also working with the recreation board to seek funding for the project. Mrs. George asked the Mayor and the Council to create a letter of support for the project. Mayor Collins asked for a consensus of the Councilmembers to create the letter and the Councilors agreed.

**PUBLIC WORKS REPORT**

Upon recommendation from the Public Works Board, Councilman Frank Schmeiser moved to waive the surcharge amount, due to water leaks at the following addresses:

William Jenkins-227.5 6th Street in the amount of $16.04

Florence White-320 Locust Avenue in the amount of $8.79

Samuel Vigil-1436 6th Street in the amount of $16.10

On a voice vote, Mayor Jim Collins declared the Motion carried.

Public Works Director Ken Wagner informed the City Council that he will be purchasing a replacement half ton pick up at a cost of approximately $32,000.00. The purchase is included in the 2019 budget.

Public Works Director Ken Wagner also stated that Black Hill Energy will be replacing all the gas lines in the City in 2019.

**APPOINTMENT OF GMS ENGINEERING AS THE CITY ENGINEER ON RECORD FOR WATER, SEWER AND STORM DRAINAGE**

Upon recommendation from the Public Works Board, Councilman Frank Schmeiser moved to appoint GMS Engineering the City Engineer on Record for water, sewer and storm drainage.

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On a voice vote, Mayor Jim Collins declared the Motion carried.

YOUTH ADVISOR REPORT

Youth Advisor Steven Salazar Jr. gave a written report on current and upcoming events happening at the Las Animas High School to the City Councilors. Steven reported that a dance will be held on March 1, 2019.

**RESOLUTION NO. 3-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO, ADOPTING RULES AND REGULATIONS FOR THE LICENSING OF RETAIL MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA BUSINESSES WITHIN THE CITY**

Councilman Troy Abdulla moved, Councilman David Armstrong seconded to adopt RESOLUTION NO. 3-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO, ADOPTING RULES AND REGULATIONS FOR THE LICENSING OF RETAIL MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA BUSINESSES WITHIN THE CITY with the addition of limiting each license to three. Voting results of the Councilors are as follows:

Yes: Troy Abdulla

David Armstrong

Eloy Salazar

No: Jan Cline

Robert Smith

Frank Schmeiser

Mayor Jim Collins declared a tie vote.

Councilman Frank Schmeiser moved, Councilwoman Janice Cline seconded to adopt RESOLUTION NO. 3-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO, ADOPTING RULES AND REGULATIONS FOR THE LICENSING OF RETAIL MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA BUSINESSES WITHIN THE CITY with no changes or limitations. Voting results of the Councilors were as follows:

Yes: Jan Cline

Robert Smith

Frank Schmeiser

No: Troy Abdulla

David Armstrong

Eloy Salazar

Mayor Jim Collins declared a tie vote.

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Mayor Jim Collins broke the tie votes and voted to not limit the amount of marijuana facilities and allow the zoning to determine the number. On a voice vote, Mayor Jim Collins declared the Motion carried.

**RESOLUTION NO. 4-19, A RESOLUTION OF THE CITY OF LAS ANIMAS, COLORADO, ADOPTING FEE SCHEDULES FOR MARIJUANA-RELATED BUSINESS APPLICATIONS**

Councilwoman Janice Cline moved, Councilman Eloy Salazar seconded to adopt RESOLUTION NO. 4-19, A RESOLUTION OF THE CITY OF LAS ANIMAS, COLORADO, ADOPTING FEE SCHEDULES FOR MARIJUANA-RELATED BUSINESS APPLICATIONS. On a voice vote, Mayor Jim Collins declared the Motion carried.

SECOND READING OF ORDINANCE NO. 717, AN ORDINANCE REPEALING EMERGENCY ORDINANCE NO. 700 AND OF ARTICLE V OF CHAPTER 7 OF THE LAS ANIMAS MUNICIPAL CODE AND PROVIDING FOR THE ADDITION OF ARTICLE VI OF CHAPTER 7 OF THE LAS ANIMAS MUNICIPAL CODE TO PROVIDE FOR THE LICENSENING OF MEDICAL AND RECREATIONAL MARIJUANA

Councilman Frank Schmeiser moved, Councilwoman Janice Cline seconded to adopt on second

reading and have published by title only in the Bent County Democrat newspaper ORDINANCE NO. 717, AN ORDINANCE REPEALING EMERGENCY ORDINANCE NO. 700 AND OF ARTICLE V OF CHAPTER 7 OF THE LAS ANIMAS MUNICIPAL CODE AND PROVIDING FOR THE ADDITION OF ARTICLE VI OF CHAPTER 7 OF THE LAS ANIMAS MUNICIPAL CODE TO PROVIDE FOR THE LICENSENING OF MEDICAL AND RECREATIONAL MARIJUANA. On a voice vote, Mayor Jim Collins declared the Motion carried.

FIRST READING OF AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY CITY OF LAS ANIMAS, COLORADO AND NOT HELD FOR A GOVERNMENTAL PURPOSE

Councilman Frank Schmeiser moved, Councilman Eloy Salazar seconded to approve on first reading and have published in it’s entirety in the Bent County Democrat newspaper AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY CITY OF LAS ANIMAS, COLORADO AND NOT HELD FOR A GOVERNMENTAL PURPOSE. On a voice vote, Mayor Jim Collins declared the Motion carried.

**APPROVAL OF LIQUOR LICENSE RENEWAL APPLICATION FOR J R LIQUOR INC**

Upon recommendation from City Clerk Charmaine Tripp, Councilman Eloy Salazar moved, Councilman Frank Schmeiser seconded to approve the liquor license renewal application for J R Liquor Inc. On a voice vote, Mayor Jim Collins declared the Motion carried.

**APPROVAL OF MODIFICATION OF PREMISES FOR LOAF N JUG NO. 59**

Councilman Eloy Salazar moved, Councilman Frank Schmeiser seconded to approve the modification of premises for Loaf n Jug No. 59. On a voice vote, Mayor Jim Collins declared the Motion carried.

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**APPOINTMENT OF JOYCE BROOKS TO THE LAS ANIMAS/BENT COUNTY LIBRARY DISTRICT BOARD**

Councilman Frank Schmeiser moved, Councilman Eloy Salazar seconded to appoint Joyce Brooks to the Las Animas/Bent County Library District Board. On a voice vote, Mayor Jim Collins declared the Motion carried.

UNFINISHED BUSINESS:

**NEW BUSINESS:** Mayor Jim Collins announced that there will be a Community Action Center meeting on February 20, 2019 at the Senior Center at 12:30 p.m.

Mayor Jim Collins discussed the possibility of becoming an AARP livable community City. Mayor Collins asked for a concensus from the Councilors to move forward and they concurred.

**APPROVAL OF VOUCHERS:** Councilman Frank Schmeiser moved, Councilman Eloy Salazar seconded to approve the vouchers for January 2019 as presented. On a voice vote, Mayor Jim Collins declared the Motion carried.

COUNCIL WORKSESSION SCHEDULED

Mayor Jim Collins announced that a City Council work session is scheduled for February 26, 2019 at 6:00 p.m. concerning the procedures for marijuana licensing.

# ADJOURNED

Mayor Jim Collins declared the meeting adjourned at 8:00 p.m.

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Charmaine D. Tripp

City Clerk & Treasurer

ATTEST:

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Jim Collins, Mayor