

## **Council Minutes** **July 6, 2006**

The Monte Vista City Council met for its regular monthly meeting on Thursday, July 6, 2006 at 7:00 P.M. in the Council Room, 4 Chico Camino, Monte Vista, CO.

### **Call to Order**

Mayor Don Schall called the meeting to order.

### **Pledge of Allegiance**

Councilor Rose Wilson led in the Pledge of Allegiance.

### **Roll Call**

Members present were Councilor Gabe Duran, Councilor Art Medina, Councilor Charles Spielman, Councilor Rose Wilson, and Mayor Don Schall. Record to indicate a quorum was present.

Others present were City Attorney Eugene Farish, City Manager Don Van Wormer, Chief of Police Jim Gallegos, Ordinance Enforcement Officer Cori Garcia, City Clerk Lucille Duran, a member of the press, and guests.

### **Approval of Consent Agenda**

Councilor Medina made a motion, and Councilor Wilson seconded, to approve the Consent Agenda as is. Consent Agenda consisted of approval of June 15, 2006 Council minutes and expenditures. Motion carried unanimously.

### **Citizen Comments/Special Presentations**

Recognize City Departments – Gaynell Garcia with Alibi's presented checks to the Monte Vista Police Department, the City of Monte Vista, and Parks and Recreation thanking them for all their help with the Rally in the Valley.

Painting of Vehicles on Hwy. 285 - Councilor Duran – Greg Pace cannot be here tonight. Greg called me to complain about the paint fumes at Bill Millers shop. Mr. Pace is on oxygen. The paint is blown out the back, and he lives directly behind the shop. Cori Garcia Ordinance Enforcement Officer – He never mentioned anything about painting at night. They are in no violation of any code we have. The business was found to be in compliance with state regulations. Don Van Wormer – It's an industrial zone; they can do that. There is a possible mediation that the state will do. Mayor Schall - Have the state come down and look into this.

### **Public Hearing**

7:30 P.M. – Pizza Hut new application for 3.2% Beer License. Eugene Farish opened the public hearing. Proponents for the application taken first. Theresa Acker District Manager was sworn in. We want a license to increase revenue. We have had a request from our customers to bring liquor back in to the store. We have not had a license for six years. When we changed to new owners, they did not want the liquor, so they took it out. We will only serve beer by the bottle. No other proponents. No opponents to the license, the hearing is closed and turned over to the City Council for decision. Councilor Medina made a motion, and Councilor Wilson seconded, to approve the application for Pizza Hut for 3.2% Beer License. Motion carried unanimously.

## **Licenses/Liquor Renewals**

Councilor Medina made a motion, and Councilor Duran seconded, to approve the Monte Vista Elks Lodge application for a special events permit to be held on July 28, and July 29, 2006. Motion carried unanimously.

Councilor Medina made a motion, and Councilor Wilson seconded, to approve the Monte Vista Chamber of Commerce application for a special events permit to be held on July 22, 2006. Motion carried unanimously.

Councilor Medina made a motion, and Councilor Wilson seconded, to approve the Temporary Permit for Michael H. Trujillo, II for Park Avenue Liquor. Motion carried unanimously.

Councilor Duran made a motion, and Councilor Wilson seconded, to approve the renewal for Tavern Liquor License for Sierra Vista VFW Post 3228. Motion carried unanimously.

## **Resolutions**

Eugene Farish read Resolution No. 12-2006 – A Resolution supporting the Agreement between the City of Monte Vista and the State Board of the Great Outdoors Colorado Trust Fund. Councilor Medina made a motion, and Councilor Spielman seconded, to approve Resolution No. 12-2006 as read. Motion carried unanimously.

## **Ordinances**

Eugene Farish read Ordinance No. 787 on second reading – An Ordinance Amending Section 3-31 (Vicious Dog or Cat Prohibited) and Repealing Section 3-33 (Barking) of the Monte Vista Municipal Code. Councilor Medina made a motion, and Councilor Duran seconded, to approve Ordinance No. 787 on second reading. Motion carried unanimously.

## **Reports**

City Manager – Next Thursday the Main Street Board of Directors will be reviewing the applications for the Main Street Director and taking the next step. We have the water conservation workshop coming up leaving at 12:30 on this coming Monday and 8:30 on Tuesday. It's still the goal of putting the use tax on the 2007 ballot. The purpose of meeting at 9:30 is get the use tax committee geared up and prepared for what the outline is going to be. Friday the 14<sup>th</sup> there is a DOLA budget workshop. In the morning, I will be meeting with the executive director of the Colorado Community Revitalization Association to look at our community and meet with the Main Street Board. Upper Rio Grande will meet Tuesday at 7 A.M. at Monte Villa Inn. URA meets Wednesday the 12<sup>th</sup> at 7:30 A.M. On Saturday the 15<sup>th</sup>, there will be a public reception for all the candidates for Alamosa City Manager applicants. Alcoholics Anonymous will be having a meeting here on the 15<sup>th</sup> and 16<sup>th</sup> of July at the auditorium. We are gearing up for Stampede. We will have a workshop sometime in August with senior staff to go over the budget. We will set the date at the next council meeting. As we continue to look at ways to attract new business and industry, new businesses are looking to the city to provide incentives as to why they should come here. Need to get some direction from council to do this. Need to explore opportunities to work with new business opportunities and developers and then provide council with proposals for your review and approval. City Manager was given the okay to go ahead with this. As you know, Beritt Odom resigned. Her last day was June 30<sup>th</sup>. It was determined the Community Development position could be a half-time position. The position will remain unfilled and the duties allocated among existing personnel. Her duties have been allocated between Alisha Jeter and me. I have

allocated 50% of the remaining salary and redistributed it between Alisha and myself. The remaining 50% will revert to the general fund as a savings. We are in the 6<sup>th</sup> day of the smoking ordinance. We need to clarify some things on it. The article in the paper was kind of misleading. It talked about chewing tobacco; we are talking about smoking tobacco not chewing tobacco. We need to talk about entrances. A back door out the alley is that an entrance? We have 25 feet on ours, and the state has 15 feet on all the entrances. We also need to include a penalty section in the ordinance. Is this what council wants to do that we add or amend this ordinance to include the penalty? Is council willing to review the 25 feet and add a 15 feet, is council wanting to take a look at changing the ordinance from all entrances and exits to main entrances, and the grandstands at Ski Hi Park will be no smoking. We will come back with an amendment to the ordinance.

### **Staff**

Jim Gallegos – Have a sidewalk sale this Saturday. We will be closing the streets off.

### **City Attorney**

Eugene Farish - We are still going through the zoning and sign code closing out at the end of August.

### **Council**

Councilor Duran – On the car show, Tom checked with all the neighbors around about the burnout, and no one had a problem.

Councilor Spielman – I get complaints on the watering of the parks the water going out into the street. Don Van Wormer – With the amount of watering we have to do, we don't have automatic sprinklers on those. We have to turn them on manually. On watering of the streets, it has to do with the water pressure. It's a never ending cycle.

### **Recess/Adjournment of Meeting**

Meeting adjourned at 9:05 P.M.

Donald Schall, Mayor  
Lucille Duran, City Clerk  
Approved 7/20/06