

TOWN OF LA JARA

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Regular Meeting
Date: November 8, 2018

A permanent set of these minutes are maintained in the Town Clerk's Office. Approved Minutes are also available on the web at www.colorado.gov/townofajara

Call to Order

The Regular Meeting of the La Jara Town Board of Trustees was called to order by Mayor Zaragoza at 7:00 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Zaragoza

Roll Call

Present were Trustees: Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Absent: None

A quorum was present.

Also present were: Town Manager Dennis Koenig, Police Chief Jerry Lujan, Maintenance Supervisor Matthew Herrera, Building Inspector Joseph Trottnier, Attorney Ray Valdez and Town Clerk Shawn Pagnotta.

Approval of Agenda

Motion: Mayor Pro Tem Medina moved to approve the Agenda; seconded by Trustee Gallegos.

Vote Results: Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Approval of Consent Calendar

There were a few typos in the minutes that were noted that needed to be corrected.

Motion: Trustee Salazar moved to approve the Consent Calendar with the corrections to the minutes; seconded by Trustee Espinoza.

Vote Results: Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina, and Mayor Zaragoza.

Nays: None

Motion Carried.

Recognition of Scheduled Public Comment

Monica Edgar addressed the board regarding the property development agreement they had with the Town of La Jara concerning the property taxes for their Subway store. The original agreement states that the developers would pay to the Town 25% of the general property taxes that would otherwise be levied against the Property by the Town of La Jara for the tax years of 2016 and 2017; 50% of the tax year of

2018; 75% for tax year 2019; with full general tax payment otherwise due and payable in the year 2020 and all subsequent years thereafter. Mrs. Edgar requested that the contract be amended to extend the agreement by one year because the development was not on the 2016 taxes due to a delay in the building process. Edgar asked that the contract be amended to read that the Developers will pay to the Town 25% of the general property tax that would otherwise be levied against the Property by the Town of La Jara for the tax years of 2017 and 2018; 50% for the tax year of 2019; 75% for the tax year 2020; with full general tax payment otherwise due and payable in the tax year 2021 and all subsequent years thereafter. Attorney Ray Valdez replied that Mrs. Edgar is requesting a revision of the contract and stated that contract revisions are something that needs to be agreed upon by both parties. He suggested going into executive session in order to allow the board of trustees the opportunity to discuss the revision of the contract. Elaine Faucette explained that the building was delayed in the building process due to issues with the contractor. She stated that because of the delay in the building process, the development wasn't on the 2016 tax roll.

Paul Faucette addressed the board concerning the drainage of the property at the Subway store. He stated the town agreed to pay a portion of the costs to install a drainage pond. Monica Edgar read paragraph 5 of the agreement that detailed the sharing in the cost for the drainage pond. Paul Faucette explained that he constructed the drainage pond and expanded the size and location of the pond. He submitted a third-party estimate of the costs involved in constructing the drainage pond that was estimated to be about \$23,000. He is asking for reimbursement of about 50% of the cost for the town's portion. Attorney Valdez explained that the operative words in the paragraph that was read states "the Town is liable for drainage protection in the same ratio that the total area of the Town's streets and other paved surfaces, if any, that adjoins the Property bears to the total paved area of the Property." Valdez stated that as he interprets the wording of the paragraph the total area to of the streets that adjoin the property is determined and then computed to see what ratio that is to the total footprint of the entire property. He stated that the town had Marty Reynolds survey the property and do a computation and found that the Town's area of the streets and alleys that adjoin the property is not more than 10% of the total paved area. He stated that town is only liable for 10% of the total costs. Valdez also stated that the town received another estimate on the cost of the drainage pond to be about \$4500 and the town would only be liable for about \$450. Town Manager explained that Robins Construction met with Marty Reynolds to determine an estimate of what the drainage pond should have cost. Trustee Espinoza asked if Mr. Faucette had been provided those estimates; he had not. Trustee Espinoza suggested tabling the discussion to allow Mr. Faucette an opportunity to review the estimate from Robins Construction and Marty Reynolds. Trustee Espinoza asked if a meeting could be set up to discuss this further. There was some dispute between the estimate of the cost of the pond submitted by Robins Construction and the bid that was submitted from Faucette by Caldon Seeding and Reclamation. Mayor Pro Tem Medina stated that the Trustees needed an opportunity to review the paperwork and discuss the issue amongst themselves. Attorney Valdez stated that it would be premature at this point, given that fact that there are two divergent points of view to expect the board in an absence of more information to make an informed decision. Mayor Zaragoza asked to be given an opportunity to discuss things as a board so that an informed decision can be made.

Monica Edgar also talked about putting in a housing development with possibly 29 homes between the car wash and the vet clinic. In their planning process Mr. Faucette asked who was responsible for putting in the utilities and infrastructure. Attorney Valdez stated that the developer is responsible for all infrastructure and also stated that there is a provision that 10% of a development should be dedicated for a park. Mr. Faucette asked the Town to provide the survey of the property as well as water and sewer hook ups. Mayor Zaragoza stated that he would like to work with Mr. Faucette and Mrs. Edgar in the development of these 29 homes, as homes are very needed in La Jara. Faucette and Edgar asked what type of homes are needed. Mayor Zaragoza stated that affordable, attainable homes are needed.

Town Manager's Report

Town Manager Koenig requested that the meeting for December be cancelled, but have a small special meeting prior to the Christmas party on December 8th for the purpose of certifying the mill levy.

Town Manager Koenig reminded the trustees to decide on a Citizen of the Year as soon as possible so that a plaque can be made and presented to them at the Christmas Party.

Town Manager Koenig reminded everyone of the Christmas Party at the Dutch Mill in Antonito at 6 pm on December 8. He asked for the RSVP's to be submitted by November 27. Town Manager Koenig stated that this year's menu will be either steak or shrimp with the trimmings, desert and soft drink, coffee or tea. He stated that this year's price on the dinner is cheaper than it has been in the past for \$19.75 per plate.

Town Manager Koenig asked to go into executive session to discuss another matter.

Approval of the Town Manager's Report:

Motion: Mayor Pro Tem Medina moved to approve the Town Manager's Report and Trustee Espinoza seconded.

Vote Results Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Nays: None

Motion Carried.

Executive Session:

Motion: Mayor Pro Tem Medina moved to go into executive session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and Trustee Gallegos seconded.

Vote Results Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Nays: None

Motion Carried.

Return to Open Meeting:

Mayor Zaragoza announced "The time is now 8:40 pm, and we now conclude the executive session and return to the open meeting."

Town Attorney's Report:

Town Attorney Valdez stated that all the items that he was going to report on had already been discussed. He added that he published a letter in the paper opposing Amendment 74.

Approval of the Town Attorney's Report:

Motion: Trustee Salazar moved to approve the Town Attorney's Report and Trustee Valdez seconded.

Vote Results Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Nays: None

Motion Carried.

Trustee Comments:

Trustee Valdez – Nothing to report.

Trustee Espinoza – Nothing to report.

Trustee Salazar – Nothing to report.

Mayor Pro Tem Medina - wanted to give kudos to Events Coordinator Krista Ross on the Pumpkin Chunkin. She stated it was a very well attended event. She also reported that she and few other trustees and the Mayor attended the Coffee with the Cops event. She stated it was a nice event as well.

Trustee Cummings nominate Dave and Diane Dexter for the Citizen of the Year. Mayor Pro Tem Medina nominated Lucy Salazar as Citizen of the Year.

Trustee Cummings asked if the Town could get some cold patch to patch the streets before the cold sets in. Town Manager Koenig stated that there was no money left for paving this year. Trustee Cummings asked who was responsible for removing the big pile of branches in the area of 4th Street and Poplar. Town Manager Koenig stated that he and the Chief drive around and address any of these types of issues on a weekly basis. Mayor Zaragoza mentioned that Mr. Mondragon requested the Maintenance department pick up leaves that were raked onto Town property. Mayor Zaragoza explained to Mr. Mondragon that the Maintenance department could pick up the leaves if they were bagged, and also explained that the Maintenance Department is not responsible for removing leaves from the yards of private citizens.

Trustee Gallegos – Seconded the nomination for Lucy Salazar as Citizen of the Year. She also reported that she had several citizens state to her that the investigations for the thefts were taking a long time. She asked if additional training was needed.

Trustee Gallegos asked about the letter everyone received concerning the water. Town Manager Koenig explained that there is no issue with the water, however, the state requires periodic inspection of the water tank. He stated the inspections had been done but the reports were not done to the satisfaction of the state and as a result the Town was required to send notification to the citizens. Trustee Gallegos asked about fixing the drainage issues near the post office and school. Town Manager Koenig stated that the drainage at the school was budgeted for this year, but other projects took precedence, such as the tree trimming, the street light project and the purchase of the new backhoe. Mayor Zaragoza suggested that the Town work with the school to resolve the drainage issues with drop off and pick up location.

Mayor Zaragoza wanted to give a lot of appreciation to Events Coordinator Krista Ross for all her hard work for all the events that she put together for the year, and especially the Pumpkin Chunkin. He asked that everyone continue to support her. Mayor Zaragoza reported on the neighborhood watch program and encouraged everyone to touch base with the Chief and with maintenance to coordinate the best location for the signs to be put up. He suggested replacing the “Slow Children at Play” with the neighborhood watch signs.

Mayor Zaragoza gave a list of the animals that he felt should be prohibited from town limits.

Mayor Zaragoza nominated Dave and Diane Dexter for the Citizen of the Year. He felt they are always willing to step up to the plate and help whenever and where they are needed.

Mayor Zaragoza reported that he attended the Coffee with the Cops with a few of the other trustees and it was a wonderful event.

Mayor Zaragoza asked Maintenance Supervisor Matthew Herrera if it was difficult to maneuver around the speed bumps while plowing the snow. Herrera stated that they will likely use the box blade to move the snow off to the side of the road. Herrera stated that it will likely take some time to clean the street.

Mayor Zaragoza expressed his appreciation to all the dedication of the Trustees and employees.

It was decided to award Citizens of the Year to Dave and Diane Dexter and Lucy Salazar. They were invited to the Christmas party where they will be recognized.

New Business

Resolution 2018-5 A Resolution summarizing expenditures and revenues for each fund, and adopting a budget for the Town of La Jara, Colorado, for the calendar year beginning on the 1st day of January 2019 and ending on the last day of December 2019.

Motion: Mayor Pro Tem Medina moved to approve Resolution 2018-5, and Trustee Gallegos seconded.

Vote Results Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Nays: None

Motion Carried.

Resolution 2018-6 A Resolution appropriating sums of money to the various funds and spending agencies, for the Town of La Jara, Colorado, for the 2019 budget year.

Motion: Trustee Valdez moved to approve Resolution 2018-6, and Trustee Salazar seconded.

Vote Results Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Salazar, Mayor Pro Tem Medina and Mayor Zaragoza.

Nays: None

Motion Carried.

Old Business

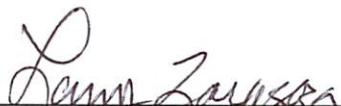
Animal Ordinance – The Trustees were asked to have a list together by the January meeting.

Adjournment

Mayor Pro Tem Medina moved to adjourn. The meeting adjourned at 9:07 pm.

Respectfully Submitted by


Town Clerk – Shawn Ragnotta
1902



Mayor / Mayor Pro Tem