



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS - CITY HALL
MONDAY, JANUARY 25, 2010 - 7:00 P.M.**

MINUTES

A. CALL TO ORDER President Larry Atencio called the City Council Meeting to order.

B. INVOCATION

Councilwoman Ortegon presented the Invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Ray Aguilera, Larry Atencio, Leroy Garcia, Chris Kaufman, Steve Nawrocki, Vera Ortegon and Judy Weaver

Administrative Staff Members Present: City Manager Jerry Pacheco, Assistant City Manager Jenny Eickelman, Interim City Attorney Thomas Florczak, City Clerk Gina Dutcher

E. PUBLIC FORUM

Alvin Rivera expressed comments in regard to the public forum process. He also stated he feels there is a conflict of interest taking place at the partially government funded YMCA Community Campus, being the Chairperson of the Board is also an employee of the County. Mr. Rivera also reviewed his view in regard to the topic of nepotism within both the City and County governments.

Ted Freeman stated he feels that the City needs a written Code of Conduct for employees; Council appointed members of the boards and commissions and elected officials. Read the Code of Conduct currently utilized in the City of Boulder. *(Mr. Pacheco clarified that Section 1-9-1 in the Pueblo Municipal Code addresses the City's Code of Ethics policy)*

Larry Fancher expressed concern about community "gossip" involving the Black Hills proposal to build a new power plant. Also stated he was disappointed in the lack of participation at the Community meeting recently held at Risley Middle School involving the Fountain Creek Greenway Project.

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F. SPECIAL RECOGNITIONS

Councilman Garcia recognized all members of Fire Explorer Post #343 for their recent graduation from the Fire Explorer Program. The program was started in 2005 by a group of Pueblo City Firefighters. It is Chartered under IAFF Local #3 with the full support of the Pueblo City Fire Dept and continues with the full support of Fire Chief Riley. Members start off as "Rookie Explorers" until they complete their 10 months of training. Training includes: Fire protective clothing, SCBA, Fire behavior, victim search and rescue, aerial operations, rappelling, wildland firefighting, river safety and rescue operations, vehicle extrication, First Aid, and CPR certification.

Councilman Kaufman announced that Damon McCray, Equipment Operator II for the Streets Department was selected as the Employee of the Month for January. It was stated that Damon is one of the most reliable employees the Streets Department has on staff. He is very rarely absent from work and is always ready to come back in to work whenever needed for storms and emergencies. Damon demonstrates excellent work ethic, has an upbeat and positive "can-do" attitude, motivating demeanor, and has a relentless dedication to performing his job to the best of his abilities. Damon also consistently takes it upon himself to learn how to operate all of the equipment available to him and is an extremely efficient operator. His abilities, skills, and attitude towards his job, make him a great asset to the City of Pueblo. He was presented with a Certificate of Outstanding Performance, a special gift from the City of Pueblo, a \$50.00 gift certificate from the place of his choice and will also receive an additional personal day off.

Human Relations Commission Executive Director Sandy Daff, outgoing Chairperson Pam Cress and incoming Chairperson Kristi Martinez reported that the HRC has recently received an Award for Outstanding Nonprofit Community partner from the Gay and Lesbian Fund for their work toward ensuring equal opportunity for all.

G. COUNCIL COMMENTS

Council members expressed comments in regard to various community related issues including events and meetings attended throughout the past week.

H. REVIEW OF THE AGENDA

I. AMENDMENTS TO AND APPROVAL OF AGENDA

Mrs. Weaver seconded by Mr. Aguilera moved to approve the agenda as distributed.

Roll Call -- Ayes: Aguilera, Atencio, Garcia, Kaufman, Nawrocki, Ortegon and Weaver. Motion carried unanimously.

J. READING AND APPROVAL OF MINUTES

Mrs. Weaver seconded by Mr. Kaufman moved to dispense with the reading and approve the Minutes of the *Regular Meeting dated Monday, January 11, 2010*, as distributed.

Roll Call -- Ayes: Aguilera, Atencio, Garcia, Kaufman, Nawrocki, Ortegon and Weaver. Motion carried unanimously.

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K. CONSENT AGENDA

L. COMMUNICATIONS

**MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING DATED
DECEMBER 9, 2009**

The Communication was ordered to be received and filed.

M. RESOLUTIONS

- M-1 RESOLUTION NO. 11791 APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN PUEBLO, A MUNICIPAL CORPORATION AND KOGOVSEK AND ASSOCIATES, INC. AND AUTHORIZING THE PRESIDENT OF CITY COUNCIL TO EXECUTE SAME**
- M-2 RESOLUTION NO. 11792 APPROVING AN AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE PUEBLO HISTORICAL AIRCRAFT SOCIETY FOR THE FINANCING AND CONSTRUCTION OF THE PUEBLO WEISBROD AIRCRAFT MUSEUM HANGAR #2**
- M-3 RESOLUTION NO. 11793 AWARDED A PROFESSIONAL ENGINEERING SERVICES AGREEMENT IN THE AMOUNT OF \$9,500.00 TO ANSELMO ENGINEERING, INC. AND SETTING FORTH \$1,000.00 IN CONTINGENCIES FOR PROJECT NO. 09-048A (SW0401) STORM SEWER IMPROVEMENTS ON PUEBLO BOULEVARD NEAR ASTER AND ON FAIRFIELD AT ASTER, AND AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO EXECUTE SAME**
- M-4 RESOLUTION NO. 11794 AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$52,205.75 TO SHISLER, INC., AND SETTING FORTH \$10,000.00 FOR CONTINGENCIES AND ADDITIONAL WORK FOR PROJECT NO. 09-056 (DT0804) SRTS M086-051 (PCN:16511) HIGHLAND PARK SAFE ROUTES TO SCHOOL ADA CURB RAMPS AND SIDEWALKS, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME**
- M-5 RESOLUTION NO. 11795 PRELIMINARILY DETERMINING THAT THE PETITION FOR THE ANNEXATION OF THE AREA COMMONLY KNOWN AS SOUTHERN COLORADO CLINIC ANNEXATION DESCRIBED AS SOUTH OF HIGHWAY 50 WEST, NORTH OF THE YMCA COMMUNITY CAMPUS AND EAST OF WILDHORSE ROAD IS VALID UNDER THE PROVISIONS OF COLORADO REVISED STATUTES SECTION 31-12-107(1), TABLING FINAL ACTION ON THE PETITION FOR A PERIOD OF NOT MORE THAN 180 DAYS AND REFERRING THE PETITION TO THE PLANNING AND ZONING COMMISSION FOR REVIEW AND RECOMMENDATION**
- M-6 RESOLUTION NO. 11796 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A GRANT TO THE "ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM" FOR THE PURPOSE OF OBTAINING FUNDING FOR TWO FIREFIGHTER POSITIONS FOR TWO YEARS**

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M. RESOLUTIONS (Continued)

M-7 RESOLUTION NO. 11797 ACCEPTING CONVEYANCE OF AN EASEMENT AND RIGHT OF WAY FROM THE OWNER OF REAL PROPERTY LOCATED AT 1311 NORTH SANTA FE AVENUE WITHIN PUEBLO, COLORADO

M-8 RESOLUTION NO. 11798 RELEASING CERTAIN EASEMENTS WITHIN THE FUTURE PLAT OF WOLF VILLAGE SUBDIVISION, FILING NO. 1

N. ORDINANCES - FIRST PRESENTATION

N-1 AN ORDINANCE APPROVING A CONSENT TO ENTRY BETWEEN THE CITY OF PUEBLO AND COLORADO SPRINGS UTILITIES, AN ENTERPRISE OF THE CITY OF COLORADO SPRINGS, AND AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO EXECUTE SAME - was presented for First Presentation

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

N-2 AN ORDINANCE AMENDING SECTION 1-5-8 OF CHAPTER 5 OF TITLE I OF THE PUEBLO MUNICIPAL CODE, RELATING TO THE AUTHORITY OF CITY OFFICIALS TO SETTLE CLAIMS, ACTIONS, AND OTHER DISPUTED MATTERS- was presented for First Presentation

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

N-3 AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES AND THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, ON BEHALF OF THE POLICE DEPARTMENT, RELATING TO THE PROJECT SAFE NEIGHBORHOOD TASK FORCE - was presented for First Presentation

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

N-4 AN ORDINANCE APPROVING A MAINTENANCE CONTRACT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION AND THE COLORADO DEPARTMENT OF TRANSPORTATION FOR 4TH STREET BRIDGE MAINTENANCE - was presented for First Presentation

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

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N. ORDINANCES - FIRST PRESENTATION (Continued)

- N-5 AN ORDINANCE AUTHORIZING THE TRANSFER OF \$80,000 FROM THE AIRPORT IMPROVEMENT TRUST FUND, ESTABLISHING CAPITAL PROJECTS AP1001 – BOARDING RAMP ADA AND AP1002 – CONCOURSE/LOBBY REMODEL AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$40,000 TO EACH PROJECT - was presented for First Presentation**

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

- N-6 AN ORDINANCE APPROVING AN AGREEMENT BETWEEN PUEBLO SCHOOL DISTRICT 60 AND THE CITY OF PUEBLO FOR THE SCHOOL RESOURCE OFFICER PROGRAM DURING THE CALENDAR YEAR 2010 AND AUTHORIZING THE PRESIDENT OF CITY COUNCIL TO EXECUTE SAME - was presented for First Presentation**

Public Hearing was set for Monday, February 8, 2010 and Notice of Hearing was ordered published BY TITLE

O. Consent Agenda Roll Call and Vote:

Mrs. Ortegon seconded by Mrs. Weaver moved to Receive and File the Minutes of the Planning and Zoning commission, Approve all Resolutions set forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda on First Presentation, Set the Public Hearings for the Ordinances on First Presentation for Monday, February 8, 2010 and Order the Ordinances of the Consent Agenda to be Published **BY TITLE**.

Roll Call -- Ayes: Aguilera, Atencio, Occhiato Ortegon, Thurston and Vidmar. Motion carried unanimously.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q-1 RESOLUTION No. 11799 APPOINTING MEMBERS TO THE URBAN RENEWAL AUTHORITY OF THE CITY OF PUEBLO**

A vote was taken by secret ballot and tallied by Mr. Pacheco.

Mr. Aguilera seconded by Mr. Kaufman moved to approve the Resolution and insert the name of Elizabeth Gladney to complete the 5-year term expiring February 1, 2014 and Rita Gersick for the 5-year term expiring February 1, 2015.

Roll Call -- Ayes: Aguilera, Atencio, Occhiato, Ortegon, Thurston, Vidmar and Weaver. Motion carried unanimously.

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REGULAR AGENDA

R. ORDINANCES - FINAL PRESENTATION

- R-1 ORDINANCE NO. 8135 VACATING ALL PUBLIC UTILITY EASEMENTS IN LOT 1, BLOCK 1, UNIVERSITY VILLAGE SUBDIVISION, FILING NO. 1; AND ALL OF THE DRAINAGE, SIDEWALK, AND INGRESS/EGRESS EASEMENTS IN LOTS 1 AND 2, BLOCK 2, UNIVERSITY SUBDIVISION FILING, NO. 2 - was presented for Final Presentation**

Mr. Florczak asked that the communication from the Planning & Zoning Commission distributed to Council regarding this matter, including the Application for Vacation, all reports, minutes and the notice of public hearing all identified as case number V-09-10 dated December 9, 2009 be made part of the record of this hearing. So ordered by President Atencio.

PUBLIC HEARING:

Seeing no one wishing to speak, President Atencio declared the Hearing closed.

Mrs. Weaver seconded by Mr. Aguilera moved to approve the Ordinance on Final Presentation.

Roll Call -- Ayes: Aguilera, Atencio, Garcia, Kaufman, Nawrocki, Ortegon and Weaver. Motion carried unanimously.

R-2 ORDINANCE NO. 8136 APPROVING THE WOLF VILLAGE SUBDIVISION, FILING NO. 1

Mr. Florczak asked that the communication from the Planning & Zoning Commission distributed to Council regarding this matter, including the Application for Subdivision, all reports, minutes and the notice of public hearing all identified as case number V-09-12 dated December 9, 2009 be made part of the record of this hearing. So ordered by President Atencio.

PUBLIC HEARING:

Seeing no one wishing to speak, President Atencio declared the Hearing closed.

Mrs. Weaver seconded by Mr. Aguilera moved to approve the Ordinance on Final Presentation.

Roll Call -- Ayes: Aguilera, Atencio, Garcia, Kaufman, Nawrocki, Ortegon and Weaver. Motion carried unanimously.

ADJOURN - 8:00 p.m. President Atencio declared the meeting adjourned.

Respectfully submitted,



Gina Dutcher, MMC
City Clerk