



# AGENDA

## REGULAR MEETING LA JUNTA CITY COUNCIL

La Junta, Colorado

August 16, 2021

7:00 PM

Council Chambers

Municipal Building

601 Colorado Avenue

CALL TO ORDER (Mayor Pruyn)

PLEDGE OF ALLEGIANCE (Mayor Pruyn)

INVOCATION (Council Member McIntyre)

ROLL CALL (City Clerk)

Council Members

Supervisors

Others

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Mestas

Velasquez

McIntyre

Pruyn

Ochoa

Vela

Eckhart

E-WASTE, PAINT, TIRE EVENT (Dee Hostetler) (Information)

MINUTES OF PREVIOUS MEETING (Mayor) (Action)

Regular Meeting August 2, 2021

CITIZEN PARTICIPATION FOR NON AGENDA ITEMS ONLY *(5 minute time limit per person)*

### UNFINISHED BUSINESS

- A. Second Reading/AN ORDINANCE TO AMEND AND CODIFY PROVISIONS RELATED TO THE TOURISM FUND (City Attorney) (Action)

### NEW BUSINESS

- A. Application for a Special Events Permit by La Junta Chamber of Commerce, Event Manager. The event is Early Settlers Day to be held September 11, 2021 from 12:00 p.m. to 12:00 a.m. at La Junta City Park (City Attorney) (Action)

B. Committee/Board Reports

C. City Manager's Comments

D. Governing Body Comments

E. ADJOURN

# Electronics, Paint, & Tires Recycling Event August 28, 9am-2pm



Recycle your electronics, paint, and tires  
**FREE** except for televisions

(flatscreen TVs will be \$10, CRT TVs will be \$25)

Tires must be taken to the Swink recycle center and are limited to car and truck tires, nine per load. For questions, call 719-469-0791 or 719-468-0254

Swink Recycle Center, Rocky Ford Fair Grounds,  
and Recycle Trailer at 3<sup>rd</sup> & Adams



**CITY COUNCIL MEETING – August 2, 2021**

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STATE OF COLORADO )  
COUNTY OF OTERO ) SS  
CITY OF LA JUNTA )

**CALL TO ORDER:** The regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Jeffri Pruyn on Monday, August 2, 2021, at 7:00 p.m. in the Council Chambers of the Municipal Building.

**PLEDGE OF ALLEGIANCE:** The Mayor led everyone in the Pledge of Allegiance.

**INVOCATION:** Council Member Vela gave the invocation.

**ROLL CALL:** The following Council Members were present:

Paul Velasquez, Ward 1  
Elaine McIntyre, Ward 2  
Jeffri Pruyn, Mayor  
Edward Vela, Ward 3  
Scott Eckhart, Ward 3

Absent: Eugene Mestas, Ward 1  
Chandra Ochoa, Ward 2

Also present: Rick Klein, City Manager  
Bill Jackson, Asst. City Manager  
Melanie Scofield, City Clerk  
Paula Mahoney, Admin. Asst.  
Aliza Libby, Director of Finance  
Cynthia Nieb, ED/UR Director  
Pam Denahy, Director of Tourism  
John Yergert, Tourism Chair  
Meghan Yergert, La Junta  
Tracey Salzbrenner, Tourism Board  
Colleen Oquist, Tourism Board  
Rick Wallner, Tourism Board  
Oz Hoeme, La Junta Chamber  
Julie Worley, La Junta Chamber  
Greg Kolomitz, La Junta Chamber  
Gary Cranson, Utility Board  
Jim Goodwin, La Junta  
Dennis Smith, La Junta  
James Bartolo, LJ Tribune  
Bette McFarren, RF Gazette

**MINUTES OF PREVIOUS MEETINGS:** Mayor Pruyn asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of July 19, 2021. Hearing none, the Mayor declared the minutes approved as published.

**CITY COUNCIL MEETING – August 2, 2021****CITIZEN PARTICIPATION FOR NON-AGENDA ITEMS (5 minute time limit per person):**

1. Greg Kolomitz, 717 Belleview Avenue, on behalf of the Chamber of Commerce:
  - Had a successful wet/dry parade. We really appreciate the help of the City, the Fire Department, the Police Department, Mr. Seaba's crew opening up the fire hydrant.
  - We had our first successful BLT (Business Lunch Talk). This is all Julie's doing. It was a great success. We will be going back to virtual on August 26<sup>th</sup>.
  - We continue to make improvements at the Chamber in terms of re-decorating. The trees are trimmed outside the building. It looks really good.
  - We continue to partner with SBDC which has been successful. We co-hosted a job fair in Bent County.
  - We are planning a robust and fun filled Early Settlers Day. It will be on September 11<sup>th</sup> which is the 20<sup>th</sup> anniversary of significance in our country.

**NEW BUSINESS**

- A. **A Resolution Authorizing the Main Street Project in La Junta.** Resolution No. R-9-2021 was presented for council's consideration as follows:

**WHEREAS**, the City is a Home Rule City organized under the laws of the State of Colorado; and

**WHEREAS**, the grant program through Colorado Main Street program is the Main Street Open for Business (MSOB) Facade Improvements and Energy Efficiency Program for non-chain commercial building owners in the Main Street La Junta District; and

**WHEREAS**, the City has administered grants up to a total of \$1 million dollars for each municipality with Economic Development/Main Street managing the grants.

**WHEREAS**, La Junta Urban Renewal is funding a total of up to \$100,000 in 20% cash match for qualified applicants.

**WHEREAS**, A 20% cash match is required of applicants.

**WHEREAS**, The MSOB grant opens for submittals by applicants on August 23, 2021; and

**BE IT THEREFORE RESOLVED BY THE CITY OF LA JUNTA, COLORADO as follows:**

A. The City shall administer the grant through a three-part review process starting with the La Junta Certified Local Government/Historic Preservation Commission reviewing for retention of historic spatial relationships, materials, and finishes;

B. A second review shall be made by the Main Street La Junta Board;

C. A third review shall be made by Darren Adame, Cynthia Nieb, and Pam Denahy, all of whom are grant writers, recipients, and administrators.

D. The second and third review panels will be using the scoring criteria used by MSOB. Anyone who has a real or perceived conflict of interest will not review the MSOB grants.

E. All reviewers must not have a conflict of interest, including familial and financial ties to applicants or relationships to the building owners that may influence decision making.

**CITY COUNCIL MEETING – August 2, 2021**

MOTION TO ADOPT RESOLUTION NO. R-9-2021: Vela

SECOND: Velasquez

DISCUSSION: We will get the biggest bang for our buck for our downtown. This is a wonderful opportunity.

VOTE: The motion carried 5-0 (Mestas and Ochoa absent)

**B. Approval of Tourism Board Documents.****1. Policy Statement.**

MOTION TO ADOPT THE TOURISM BOARD POLICY STATEMENT: Velasquez

SECOND: McIntyre

DISCUSSION: Council Member Vela, "I protest this whole thing. We really should have the City Attorney here. The policy statement has a lot of flaws in it that I pointed out. I want to make for the record my protest for this entire one. For propriety and if the City Attorney comes back next time we meet, we can reverse this, if it's not legal."

VOTE: The motion carried 4-0 (Mestas and Ochoa absent, Vela abstained)

**2. By-Laws.**

MOTION TO ADOPT THE TOURISM BY-LAWS: Velasquez

SECOND: McIntyre

DISCUSSION: Council Member Vela, "I protest this whole thing. We really should have the City Attorney here. The policy statement has a lot of flaws in it that I pointed out. I want to make for the record my protest for this entire one. For propriety and if the City Attorney comes back next time we meet, we can reverse this, if it's not legal."

VOTE: The motion carried 4-0 (Mestas and Ochoa absent, Vela abstained)

**C. First Reading/AN ORDINANCE TO AMEND AND CODIFY PROVISIONS RELATED TO THE TOURISM FUND.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Vela

SECOND: Velasquez

DISCUSSION: There was no discussion.

VOTE: The motion carried 5-0 (Mestas and Ochoa absent)

**D. Committee/Board Reports****1. AVRMC Board (Council Member McIntyre):**

- Discussed Executive Summary, have hit five of the six trigger points.
- Blood drive tomorrow from 10:00 a.m. to 2:00 p.m. at the Medical Education Center.
- Currently have one COVID case in the hospital. There are two cases in Otero County and one case in Bent County of the Delta Variant.

**2. Council Member Vela: Happy belated birthday to Colorado. Colorado turned 145 years old yesterday.****3. Utilities Board (Council Member Vela):**

- The Board meets Tuesday of next week.

**4. ARPA (Utilities Board Vice-Chair):**

- Sales are down a little bit for the entire area. The month of June was a big hot stretch. There were unanticipated expenses.

**CITY COUNCIL MEETING – August 2, 2021**

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5. Live Well Park (City Manager Klein):
  - Still waiting on the grant to fix the wall.

**E. City Manager's Comments**

1. The numbers are in for the Mount View project: General Fund - \$94,075.34, Sewer Fund - \$78,573.06, Water Fund - \$79,629.33: Total for the project is \$252,277.73. Since then, prices have gone up.
2. The system on 22<sup>nd</sup> Street and above needs replaced.
3. There was a service line that had to be replaced at 9<sup>th</sup> and Colorado.
4. Will begin striping downtown.
5. City Park will be crack filled and sealed.
6. We'll also be doing some striping at the airport.
7. The EPA should be here in October. We're working on clearing out the trees.
8. Senior Center will have pancakes and sausage on August 6<sup>th</sup>.
9. Dive In movie at the pool had to be cancelled due to weather.
10. The pool closes on August 15<sup>th</sup>. Dogs Days of Summer will be the 21<sup>st</sup>.
11. We've had three nights over the last few months of vandalism at the cemetery.
12. Continuing work on pot holes and weeds.
13. Police at the Park is this Friday at 6:00 p.m.

**F. Governing Body Comments**

1. Mayor Pruyn:
  - I want to say thank you to the Chamber for the BLT lunch. There were so many people there that came from out of town. There were a few people from Senator Hickenlooper's office. It was really great how the Chamber showcased the two businesses.
  - I also want to thank the Picketwire. Elaine and I were invited to be guest celebrity panelists on the Masked Singer. It was so much fun and we had a great time.
  - It is election season. Five of us are up for election. Tomorrow is the first day to pick up packets.

There being no further business, the meeting adjourned at 7:50 p.m.

**ATTEST:****CITY OF LA JUNTA**

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Melanie R. Scofield, City Clerk

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Jeffri Pruyn, Mayor

**ORDINANCE NO. 1629**

**AN ORDINANCE TO AMEND AND CODIFY  
PROVISIONS RELATED TO THE TOURISM FUND**

**WHEREAS**, the voters of the City of La Junta have previously determined that visitors of the City should be required to help defray the costs of promoting tourism within the City and the area and for the promotion of tourist related activities within the City and the surrounding area; and

**WHEREAS**, the voters of the City of La Junta have determined that such effort should be financed in part by the imposition of a "Lodging Tax" imposed upon the leasing or renting of rooms or other accommodations in commercial lodging within the City of la Junta by short-term visitors and guests; and

**WHEREAS**, the citizens of La Junta have determined that the public interest and the needs of the City require that provision be made for the imposition of a Lodging Tax with the revenues generated therefrom to be used as provided herein; and

**BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO THAT:**

**SECTION 1:** Purpose of Ordinance. It is the intention of the City Council to codify all updated provisions related to the tourism related Ordinances.

**SECTION 2:** Section 2.90.010 is repealed in its entirety.

**SECTION 3:** Any ordinances, rules or regulations enacted to provide provisions related to the management of the Tourism Tax which may be in conflict with this Ordinance are hereby repealed in their entirety.

**SECTION 4:** A new Section 2.90.010 is enacted as follows:

Section 2.90.010 Advisory Board:

1. A board shall be created designated as the "City of La Junta Tourism Advisory Board".
2. The Advisory Board shall be governed under such conditions and terms as the Council deems

appropriate to advise the City Council on tourism related issues.

3. The Board shall be advisory in nature and shall have no powers other than those enumerated herein.
4. The existence of the Board shall continue from the effective date of this ordinance until such time as amended, changed, or terminated by act of this Council.
5. The Council shall select a Board of not less than seven residents of the area to advise the City Council on tourism related matters. Except as provided in Subsection (f), members of the advisory board shall be appointed from industries or businesses associated with the tourism industry within the municipality or areas surrounding La Junta.
6. The Board shall be compromised as follows:
  - a. One member shall be the Mayor of the City of La Junta whose term shall commence with the appointment hereof and continue during the elected term of that Mayor's term of office.
  - b. One member shall be the City Manager or his designee.
  - c. Five members selected from the City of La Junta, or its surrounding area, as may be appointed by Council, for terms of three years each; except as to the following initial term as defined in Subparagraph G below.

**SECTION 5:** Section 2.90.020 is repealed in its entirety.

**SECTION 6:** A new Section 2.90.020 is enacted as follows:

Section 2.90.020 Powers and Duties:

1. The Board shall schedule meetings to collect and evaluate user input from the Community concerning the duties of the Board.



2. The Board shall provide the City with input of the desires of the community concerning tourism.
3. The Board shall advise the City concerning activities to be funded by the Lodging Tax.
4. The Board shall advise the City concerning the needs of the community concerning tourism related actions.
5. The Board shall make recommendations to the City concerning possible expenditures for the purposes stated.
6. The Board shall make recommendations to the City concerning possible grants for the purposes stated.
7. The Board shall conduct regular meetings of the Board.
8. The Board shall elect officers to control the functioning of the Board.

**SECTION 7:** Section 2.90.030 is repealed in its entirety.

**SECTION 8:** A new Section 2.90.030 is enacted as follows:

Section 2.90.030 Powers and Duties Excluded or Reserved:

The following powers and duties shall be specifically reserved to the City of La Junta:

1. All revenues and any expenditures shall be governed by the budgeting process of the City Council in accordance with its customary procedures.
2. All revenue collected from such Lodging Tax shall be credited to a special fund designated as the "Lodging Tax Tourism Fund" which is hereby created. The fund shall be used only to advertise and market tourism in accordance with this ordinance. No revenue collected from such "Lodging Tax" shall be used for any expenditures, with the exception of tourist information centers and related purchases.

3. As relates to the matters contained in this Section, the City shall decide, in its sole discretion all matters of budget with regard to the Lodging Tax.
4. As relates to the matters contained in this Section, the City shall allow City auditors, at the expense of the City, to audit any funds controlled or held by the City in the use or operation of this fund.

**SECTION 9:** Section 3.15.010 is repealed in its entirety.

**SECTION 10:** A new Section 3.15.010 is enacted as follows:

Section 3.15.010 Use of Money Collected:

1. The City shall provide for the receipt and expenditure of revenues collected from the tax and the deposit of the same into a restricted fund as created by the Council to implement this ordinance.
2. The City shall establish procedures, regulations and processes for the collection of the tax.
3. No funds may be used for the general operating purpose of the City.

**SECTION 11:** Section 3.15.020 is repealed in its entirety.

**SECTION 12:** A new Section 3.15.020 is enacted as follows:

Section 3.15.020 Applicability of Tax:

"Lodging" includes the transaction of furnishing rooms or accommodations by any person, partnership, limited liability company, association, corporation, estate, receiver, trustee, assignee, lessee, or person acting in a representative capacity or any other combination of individuals by whatever name known to a person who for a consideration uses, possesses, or has the right to use or possess any room in a hotel, apartment hotel, lodging house, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp, or trailer court and park, under any concession, permit, right of access, license to use, or other agreement, or otherwise.

**SECTION 13:** Section 3.15.030 is repealed in its entirety.

**SECTION 14:** A new Section 3.15.030 is enacted as follows:

Section 3.15.030 Exclusion of Tax:

The Lodging Tax shall not apply to the following:

1. Tenancies created by landowners for a term in excess of thirty (30) days where rent is computed and paid on a monthly basis;
2. Persons accepting lodging on Railroad berths on rail cars; irrespective of whether said lodging originated in la Junta or any other place which causes transfer through La Junta on the Amtrak rail line.

**SECTION 15:** Section 3.15.040 is repealed in its entirety.

**SECTION 16:** A new Section 3.15.040 is enacted as follows:

Section 3.15.040 Abolishment of Tax:

This tax may be abolished if, in the opinion of not less than seventy-five percent of the voting members of Council, the purposes as set forth herein shall become obsolete.

**SECTION 17:** Section 3.15.050 is repealed in its entirety.

**SECTION 18:** A new Section 3.15.050 is enacted as follows:

Section 3.15.050 Compliance Requirements:

All filing requirements, all licensing requirements and all due dates, penalties and other administrative technicalities shall be the same as required under the current provisions of Title 3 of this code.

**SECTION 19:** Section 3.15.070 is repealed in its entirety.

**SECTION 20:** A new Section 3.15.070 is enacted as follows:

Section 3.15.070 Vendors:

1. Persons or entities required to collect the Lodging Tax shall apply for and maintain a Lodging Tax collection license, which shall be issued by the City Financial Officer.
2. Persons or entities required to collect the Lodging Tax shall remit the tax collected on sales tax forms provided by the City.
3. No vendor shall be entitled to a fee for the collection of said Lodging Tax.

**SECTION 21:** Section 2.90.040 is repealed in its entirety.

**SECTION 22:** A new Section 2.90.040 is enacted as follows:

Section 2.90.040 Meeting Compliance:

All meetings of said Board shall comply with the Open Session Requirements as set forth in Title 24 of the C.R.S.

**INTRODUCED, PASSED** on first reading this 2<sup>nd</sup> day of August, 2021.

**ADOPTED** on second reading this 16<sup>th</sup> day of August, 2021.

**CITY OF LA JUNTA**

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Jeffri Pruyn, Mayor

**ATTEST:**

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Melanie R. Scofield, City Clerk