

## Council Goals

Envision a safe, flourishing downtown that provides a strong commercial tax base

Strive to be active stewards of existing aging infrastructure

Recognize importance of experience, well trained, and community minded staff

Ensure its electorate is well informed of on-going successes and future plans

Envision a safe, secure community for its families and youth

Promote redevelopment of existing businesses and neighborhoods and increase quality of life for all its residents



## AGENDA

### REGULAR MEETING LA JUNTA CITY COUNCIL

La Junta, Colorado  
July 17, 2023  
6:00 PM  
Council Chambers  
Municipal Building  
601 Colorado Avenue

CALL TO ORDER (Mayor Ayala)

INVOCATION (Council Member McIntyre)

PLEDGE OF ALLEGIANCE (Mayor Ayala)

ROLL CALL (City Clerk)

Council Members

Supervisors

Others

Ramirez

Velasquez

McIntyre

Ayala

Ochoa

Vela

Pantoya

MINUTES OF PREVIOUS MEETINGS (Mayor) (Action)  
Regular Meeting July 3, 2023

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

UNFINISHED BUSINESS

- A. Second Reading/ AN ORDINANCE CALLING AN ELECTION ON NOVEMBER 7, 2023 TO AUTHORIZE THE IMPOSITION OF AN ADDITIONAL 1% SALES TAX ON RETAIL SALES WITHIN THE CITY OF LA JUNTA; SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION; PROVIDING OTHER MATTERS AND RATIFYING ACTIONS PREVIOUSLY TAKEN RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE (City Attorney) (Action)

NEW BUSINESS

- A. Committee/Board Reports
- B. City Manager's Comments
- C. Governing Body Comments
- D. ADJOURN

**Subject to approval at  
the July 17, 2023  
City Council Meeting**

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

**CALL TO ORDER:** A regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Ayala on Monday, July 3, 2023, at 6:00 p.m. in the Council Chambers of the Municipal Building.

**INVOCATION:** Mayor Ayala gave the invocation.

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

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

Paul Velasquez, Ward 1  
Joe Ayala, Mayor  
Chandra Ochoa, Ward 2  
Edward Vela, Ward 3  
Lisa Pantoya, Ward 3

Absent: Damon Ramirez, Ward 1  
Elaine McIntyre, Ward 2

Also present: Rick Klein, City Manager  
Bill Jackson, Asst. City Manager  
Melanie Scofield, City Clerk  
Paula Mahoney, Admin. Asst.  
Cathy Hurd, La Junta  
Betty Velasquez, La Junta  
Connie Shane, La Junta  
Douglas Golding, La Junta  
Daniel Horton, La Junta  
Jeff Rumpf, La Junta  
Bette McFarren, RF Gazette

**MINUTES OF PREVIOUS MEETING:** Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of June 20, 2023. Council Member Vela, under Committee/Board reports, where it says: Jackson Mississippi where they had tons, add “infrastructure problems.” Hearing no further corrections or additions, the mayor asked for a motion to approve the minutes as amended.

**MOTION TO ACCEPT THE JUNE 20, 2023 MINUTES AS AMENDED:** Pantoya

**SECOND:** Velasquez

**DISCUSSION:** There was no discussion

**VOTE:** The motion carried 5-0 (Ramirez and McIntyre absent)

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

1. Douglas Golding, 1316 Lincoln Avenue: Many years ago, brought forward some ideas, nothing was ever done with it. Would like to propose ways of raising some revenue. Brother and his wife fifth wheel and look for opportunities in towns for ideas that other communities are currently using and are successful. There was another increase at the golf course. Not against prices going up but it sure goes down a little better if you're offering a better product. There are tons of room out there that it could present itself as two 9-hole layouts. Some would require some capital outlay. Some simply mowing some additional tee boxes. Many of the ideas to raise revenue were given to the city 15 years ago. One idea that was in there, which was done, was moving the driving range to its

**CITY COUNCIL MEETING – July 3, 2023**

current location. Where it was, was very dangerous. There is the same or worse situation with the chipping green in its location. That was another recommendation that that be moved at the same time as the driving range was. You can offer senior discount days or packages. The restaurant might entertain an idea of an “eat & play” package. Lots of people fly to the airport might want to play a round of golf and then eat at the restaurant benefiting both. The KOA might be interested in going together with a “stay & play”. There are lots of older people that don’t play that much. Punch cards work in all kinds of different areas.

2. Connie Shane, 1421 Park Avenue: The Fish & Wildlife never showed up. There were five eggs left and they were stolen. She has been laying a lot of eggs over at the park. They seem to be happy there where people are feeding and giving them water. Need to keep educating the people about not touching the eggs. A lot of parents are good about that.
3. Jeffrey Rumpf, Opera House Pizzeria: Felt compelled to come because he thinks the council needs to hear how small businesses are hurting here. The dress shop is out of business. The shop next to Rick’s daughter is going out of business. Jeannie barely makes it by every month in the bookstore and he barely makes it by. Can’t pay himself. Guessing everyone here gets paid every time their full salary. He’s been listening to the meetings and hears things about anonymous letters, accusations, true or false. He doesn’t care. He cares but not for the purpose of this. Ducks and 10% increase in the electric. He’s been here for 4 years. Had all of his tools robbed, had fires set to their trash cans twice, vehicles hit 3 times, including one for delivery that set him back because he wanted to add delivery to what they’re doing. Small businesses need council’s help and he doesn’t want to hear, it’s not my fault. It’s their fault. Gas has gone up like 50% in a year and a half. And it was just approved for another 10% hike in the electric. Two hikes on the electric in the last year. The folks that are coming in, glad they’re going to take over the old Wal-Mart building but he hears that they’re getting a sweetheart deal but none of the small businesses are. The point is small businesses need help. He chose La Junta. He physically did the work on the building himself. But the council needs to lead by example. And they can’t worry about who wants to be mayor next and who wants to be the next state representative. That’ll all work itself out when they do a good job here. Help is needed. Leadership is needed. People to make tough decisions in favor of the small businesses that are here. He can’t pay myself eleven months plus in. And now he has a former employee accusing him of stealing tip money. That’s really frustrating. When he watches the meetings and sees it’s led by 10% electric hikes and ducks and he’s being accused and anonymous letters, how does this serve us? How does this serve the bookstore? How does it serve the marketplace? It doesn’t. If council were in his shoes and they didn’t have a guaranteed paycheck, they might feel the same way. He doesn’t have a guaranteed paycheck. He’s gotta make money. The small businesses just need help to survive. You can’t be hiking up our rates and expecting us to stay in business. That’s not my fault, it’s your fault. He’s heard that enough in the meetings the last three weeks. That’s not leadership. That’s not helping the community. It’s all about scandal. Figure that out on your own. But help the community. That’s why you got the title. Not trying to make enemies of people here. Just asking for your help. Do what you’re supposed to do to help us, because we’re leaving. People are leaving. He doesn’t know if the city is in a rock and a hard place. He’s lost 10 more percent and getting crushed. So, small businesses need your help. Support physically, financially, emotionally, whatever. He had a police officer come in last week who’s been working with him, he said he just came in to see how he was doing. It was nice to know he went out of his way to do that and he didn’t spend a dime but he did something.

**NEW BUSINESS**

- A. **First Reading/AN ORDINANCE CALLING AN ELECTION ON NOVEMBER 7, 2023 TO AUTHORIZE THE IMPOSITION OF AN ADDITIONAL 1% SALES TAX ON RETAIL SALES WITHIN THE CITY OF LA JUNTA; SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION; PROVIDING OTHER MATTERS AND RATIFYING ACTIONS PREVIOUSLY TAKEN RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.** The ordinance was introduced by title only, there being copies available to those in attendance.

**CITY COUNCIL MEETING – July 3, 2023**

MOTION TO PASS THE ORDINANCE ON FIRST READING: Ochoa

SECOND: Pantoya

DISCUSSION: Council Member Vela believes the ordinance is not written correctly and that it needs to go back to the city attorney to come up with something similar to what Pueblo and Pueblo West did. There needs to be more detail as to how it is going to be used.

VOTE: Those voting YES: Velasquez, Ayala, Ochoa, Pantoya  
 Those voting NO: Vela  
 The motion carried 4-1 (Ramirez and McIntyre absent)

**B. Committee/Board Reports**

1. There were no committee/board reports.

**C. City Manager's Comments**

- The Brick and Tile playground is completed except for the last shelter. We will build the shelter in the next couple of weeks.
- We have sent the bid out for the trail.
- EPA has given us the ok to rebid the Brownfield grant.
- We had a sewer manhole that was replaced on 3<sup>rd</sup> Street and Highway 50.
- We have 275 kids in baseball.
- Level 1 water restrictions.
- The new scoreboard was placed at Veterans Field.
- We are patching and clearing weeds.
- There were 249 kids signed up for the Summer Reading program and 100 kids on Friday's programs.
- We have been monitoring the river.

**ADDITIONAL DISCUSSION:**

- The product used by the mosquito truck costs \$13,000 not including overtime for the employees.
- Campers seem to be allowed at Wal-Mart parking lot because they shop there.
- The parking lot downtown was repainted. Thank you to all of the volunteers. Will meet again on July 15<sup>th</sup> at 7:00 a.m.
- South School was purchase by a private entity.

**D. Governing Body Comments**

1. Council Member Vela:
  - The weeds are getting horrendous. We need to start giving people warnings. The one at 10<sup>th</sup> & Topeka is bad.

There being no further business, the meeting adjourned at 6:42 p.m.

**ATTEST:**

**CITY OF LA JUNTA**

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 Melanie R. Scofield, City Clerk

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 Joe Ayala, Mayor

ORDINANCE NO. 1647

**AN ORDINANCE CALLING AN ELECTION ON NOVEMBER 7, 2023 TO AUTHORIZE THE IMPOSITION OF AN ADDITIONAL 1% SALES TAX ON RETAIL SALES WITHIN THE CITY OF LA JUNTA; SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION; PROVIDING OTHER MATTERS AND RATIFYING ACTIONS PREVIOUSLY TAKEN RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the City Council of La Junta, Colorado has determined that the public interest and the needs of the City require that provision be made for the imposition of an additional 1% sales tax on all retail sales as defined in the Municipal Code of the City of La Junta within the City of La Junta tax with the revenues generated therefrom to be used as provided herein; and

**WHEREAS**, The Council has determined to set the title and content of the ballot issue to be submitted at the election established by this Ordinance.

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

**SECTION 1: ELECTION DATE:** An election shall be held on Tuesday, November 7, 2023 at which there shall be submitted to the eligible electors of the City a question as to authorizing the imposition of a "an additional 1% sales tax on all retail sales as defined in the Municipal Code of the City of La Junta within the City of La Junta", which question shall be in substantially the form as set forth in Section 8 below.

**SECTION 2: ELECTION PROCESS:** The election shall be conducted as a coordinated election in Otero County in accordance with articles 1 to 13 of title 1, C.R.S. (the Uniform Election Code), and any required intergovernmental Agreements between the City and Otero County.

**SECTION 3: CERTIFICATION:** No later than September 1, 2023, the City Clerk shall certify the ballot content to the County Clerk and the Notice of Election required by Article X, Section 20(3)(b) of Colorado Constitution.

SECTION 4: NOTICE: No later than September 1, 2023, the City Clerk shall submit to the County Clerk, in the form, if any, specified by the County Clerk, the Notice of Election required by Article X, Section 20 (3)(b) of the Colorado Constitution.

SECTION 5: AUTHORITY TO ACT: All acts required or permitted by the Uniform Election Code relevant to voting by early voters ballots, absentee ballot and emergency absentee ballots, which are to be performed by the designated election official, shall be performed by the County Clerk.

SECTION 6: COORDINATING ELECTION: The City Clerk (or the County Clerk, if so, provided in the Intergovernmental Agreements) shall cause a Notice of Election to be published in accordance with C.R.S 1-5-205 as required by law.

SECTION 7: BALLOT ISSUE: For purposes of C.R.S. 1-11-203.5, this Ordinance shall serve to set the title and content of the ballot issue as is more fully set forth herein and the ballot title for such question shall be text of the question itself.

SECTION 8: TEXT: The text of the ballot shall be as follows:

Shall City of La Junta's taxes be increased by approximately \$1,400,000.00 in 2024 and then annually by whatever additional amounts are raised thereafter by the imposition of an additional 1% sales tax on all retail sales as defined in the Municipal Code of the City of La Junta within the City of La Junta beginning January 1, 2024 and continuing thereafter; with the net proceeds of such tax to be collected, retained and spent for the purposes of the City through its general fund; and shall the City be permitted to collect, retain and expend all revenue derived from such tax as a voter-approved revenue change and an exception to limits which would otherwise apply under Article X, Section 20 of the Colorado Constitution or any other law?

\_\_\_\_\_ Yes  
\_\_\_\_\_ No

SECTION 9: VOTE RESULTS: If a majority of the votes cast on the ballot issue submitted at the election shall be in favor of such question, the City acting through the Council shall be authorized to proceed with all the necessary actions to impose an additional 1% sales tax on all retail sales within the City of La Junta.

**SECTION 10: ACTIONS OF COUNCIL UPON PASSAGE:** If a majority of the votes cast on the ballot issue submitted at the election shall be in favor of such question, the Council shall:

- A. Provide for the receipt and expenditure of revenues collected from the tax and the deposit of the same into the general fund as created by the Council to implement this ordinance.

**SECTION 11: ACTIONS OF COUNCIL UPON NON-PASSAGE:** If a majority of the registered electors voting thereon fail to approve the "an additional 1% sales tax on all retail sales as defined in the Municipal Code of the City of La Junta within the City of La Junta", the question shall not be submitted again to such electors for a period of one year following the date of said election.

**SECTION 12: USE OF MONEY COLLECTED:**

- A. All revenues and any expenditures shall be governed by the budgeting process of the City Council in accordance with its customary procedures.
- B. Funds may be used for the general operating purpose of the City.

**SECTION 13: ACTS PROHIBITED:** No public moneys from any source shall be expended directly or indirectly to urge electors to vote in favor or against the imposition of the "an additional 1% sales tax on all retail sales as defined in the Municipal Code of the City of La Junta within the City of La Junta". Nothing in this paragraph shall be construed as prohibiting an elected official or City employee from expressing his personal opinion concerning the imposition of the lodging tax.

**SECTION 14: PRIOR ACTIONS:** All actions not inconsistent with the provisions of this Ordinance, heretofore taken by the member of the Council and the officers and employees of the City, directed toward holding the purposes stated herein are hereby ratified, approved and confirmed.

**SECTION 15: REPEALER:** All prior acts, orders of ordinances, or parts thereof, by then City in conflict with this Ordinance are hereby repealed, except that this repealer shall not be construed to revive any act, order or ordinance, or part thereof, heretofore repealed.

SECTION 16: SEVERABILITY: If any section, paragraph, clause or provision of this Ordinance shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Ordinance, it being the intention that the various parts hereof are severable.

SECTION 17: EFFECTIVE DATE: The Ordinance shall take effect immediately upon its passage.

**INTRODUCED, PASSED** on first reading this 3<sup>rd</sup> day of July, 2023.

**ADOPTED** on second reading this 17<sup>th</sup> day of July, 2023.

**CITY OF LA JUNTA**

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Joseph Ayala, Mayor

**ATTEST:**

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Melanie R. Scofield, City Clerk





## City Manager Comments

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