

CITY OF TRINIDAD
TRINIDAD, COLORADO

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Wednesday, July 5, 2023, at 6:00 p.m. in City Council Chambers at City Hall.

| | | |
|---------------------|---|---|
| There were present: | Mayor Councilmembers | Rico, presiding DeBono, Griego, Ogletree, Shew, and Williamson |
| Also present: | City Manager City Attorney Asst. City Clerk | Ruger Downs Lopez |
| Those absent: | Councilmember | Thurman |

APPROVAL OF AGENDA. A motion to approve the agenda as presented was made by Councilmember Shew and was seconded by Councilmember Griego. Roll call was taken, and the motion carried unanimously.

POLICY ITEMS & STAFF REPORTS. Artocade Update. Mayor Rico gave an update regarding Artocade and suggested the City think about helping financially to sustain the Artocade parade and museum.

John Wait of Sirius Golf Consulting introduced himself and gave a brief update on what he will be doing at the golf course in the next few days.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Jeff Cockrum addressed Council requesting a hearing before his removal from the Trinidad Urban Renewal Authority Board.

Pat Howlett addressed Council regarding the removal of Jeff Cockrum from the Trinidad Urban Renewal Authority Board and read a section from the Code of Ethics and stated Jeff Cockrum deserves due process of having a hearing before his removal.

Seraphim Chad Kraft addressed the Council and thanked them for removing the satanic event from the City's website. Since then, his information has been made public on Facebook, and has been harassed.

Jason Decker addressed Council and read a prepared statement regarding decorum during meetings and the city's legal responsibilities.

Carlos Lopez addressed Council regarding the ethics code, bylaws, and the process of removing board members.

A motion to enter into executive session for a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) was made by Councilmember Ogletree and seconded by Councilmember Griego. Upon roll call vote the motion carried unanimously. The executive session ensued at 6:41 pm.

I, Les Downs, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 5th day of July, 2023, was permissible under CRS Section 24-6-402 (4)(b). As the City's attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.

Les Downs, City Attorney

Upon conclusion of the executive session at 7:03 p.m., the meeting resumed.

CONSENT AGENDA APPROVAL. Councilmember Shew moved on the consent agenda as follows: a) approval of the Regular Meeting Minutes of June 20, 2023, and Special Meeting Minutes of June 23, 2023; b) Approval of Special Events Permit application (malt, vinous and spirituous) filed by Trinidad & Las Animas County Chamber of Commerce for July 7, 2023, at 210-218 W. Main Street (Space to Create Commons); c) Removal of Jeff Cockrum from the Trinidad Urban Renewal Authority Board; d) Approval of Bills; e) Approval of Payroll, June 24, 2023, through July 7, 2023. Councilmember Griego seconded the motion. Upon roll call vote the motion carried unanimously.

PUBLIC HEARINGS. Transfer of ownership of a tavern liquor license filed by Sexy Pizza 5, LLC d/b/a Sexy Pizza at 516 E. Elm Street (formerly Foxy Memaw's, LLC d/b/a Grandma's House). Mayor Rico declared the hearing open. Kyle Peters was sworn in and Attorney Austin Clark identified himself as counsel representing Sexy Pizza LLC. City Attorney Downs indicated that he thought it would be fine for the second owner to be present for the tavern liquor license transfer of ownership. Mr. Downs stated that what Council is considering tonight is the age of the applicant and moral character and he believes both have been met by the application and documents that were submitted. Kyle Peters stated he has been the Director of Operations at Sexy Pizza at all five locations including the Trinidad location opening in October of 2021. He said he is happy to be in Trinidad and loves being part of the community and is excited to experience Trinidad and all the cool things that are happening. He said they have been in business for over 15 years and they employ over 100 employees. Mayor Rico asked for anyone to speak for or against the transfer of ownership. Seeing none the hearing was closed. A motion to approve the Transfer of ownership of a tavern liquor license filed by Sexy Pizza 5, LLC d/b/a Sexy Pizza at 516 E. Elm Street (formerly Foxy Memaw's, LLC d/b/a Grandma's House) was made by Councilmember Ogletree and seconded by Councilmember Shew. Roll call was taken and the motion carried unanimously.

Transfer of ownership of a tavern liquor license filed by El Rancho Restaurant, LLC at 1901 Santa Fe Trail (formerly Gina Lujan d/b/a El Rancho Restaurant). Mayor Rico declared the hearing open. Gina Lujan and Frank Garcia were sworn in. Mr. Downs stated that what Council is considering tonight is the age of the applicant and moral character and he believes both have been met by the application and documents that were submitted. Mayor Rico asked for anyone to speak for or against the transfer of ownership. Seeing none the hearing was closed. A motion to approve Transfer of ownership of a tavern liquor license filed by El Rancho Restaurant, LLC at 1901 Santa Fe Trail (formerly

Gina Lujan d/b/a El Rancho Restaurant) was made by Councilmember Williamson and seconded by Councilmember DeBono. Upon roll call vote the motion carried unanimously.

Public hearing for consideration of an ordinance authorizing a property exchange and a separate purchase of certain real property owned by the City of Trinidad to OK Ranch and from OK Ranch to the City of Trinidad. Mayor Rico declared the hearing open. City Manager Ruger stated this is the second reading of the ordinance authorizing the purchase and property exchange that will include City property east of Exit 11 for 288 acres across from Trinidad Lake State Park. Mayor Rico asked for anyone to speak for or against the ordinance. Seeing none the hearing was closed. A motion to approve the second reading of an ordinance authorizing a property exchange and a separate purchase of certain real property owned by the City of Trinidad to OK Ranch and from OK Ranch to the City of Trinidad was made by Councilmember Shew and seconded by Councilmember Ogletree. Roll call was taken and the motion carried unanimously. (ORD. NO. 3078)

UNFINISHED BUSINESS. None

MISCELLANEOUS BUSINESS. Consideration of purchase of one (1) 2023 Ford F550 Crew Cab and Chassis for the Gas Department. A motion to approve the purchase of one (1) 2023 Ford F550 Crew Cab and Chassis for the Gas Department in the amount of \$72,326.67 was made by Councilmember Shew and seconded by Councilmember Griego. Gas Director Curro addressed Council stating he has been in contact with several dealerships looking for this specific truck and finally found a truck available. He said it will be available at the end of the month. Roll call was taken and the motion carried unanimously.

COUNCIL REPORTS. Councilmember DeBono reported on July 19th Ft. Wooton will have a caregiver support meeting and on July 27th they will host a finance seminar. Councilmember Griego had nothing to report. Councilmember Shew reported that ARPA has a few projects going on and will report on them at a later date. Councilmember Ogletree reported she attended the Annual CML Conference and they were very informative. Councilmember Williamson reported he has an upcoming COG meeting. Mayor Rico reported he attended the Annual CML Conference as well as the Emergent Campus meeting. He also participated in the 4th of July parade.

REPORTS BY CITY MANAGER. City Manager Ruger thanked the Fire Department, Community Center, and Local, Regional, and State offices for all their help during the Titan fire. He also noted the golf consultant is here and Council can reach out to him with questions. Finally he reported that the City received two outstanding proposal for the Strategic Plan.

REPORTS BY CITY ATTORNEY. City Attorney Downs reported that if anyone would like information regarding the removal of Jeff Cockrum from the Trinidad Urban Renewal Authority Board they can submit a CORA request.

EXECUTIVE SESSION – For a conference with the City’s attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) –legal liability avoidance; and, for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – property purchases. A motion to go into the executive session was made by Councilmember Griego and seconded by Councilmember Ogletree.

I, Les Downs, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 5th day of July, 2023, was permissible under CRS Section 24-6-402 (4)(b). As the City’s attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.

Les Downs, City Attorney

ADJOURNMENT. Upon unanimous vote, the meeting was adjourned at 8:58 pm.

PHILLIP T. RICO, Mayor

ATTEST:

KIMBERLY LOPEZ, Assist. City Clerk