



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, NOVEMBER 14, 2022 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Graham called the meeting to order at 7:12 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Vicente Martinez Ortega, Lori Winner.

Council Members Present via Zoom: None.

Council Members Absent: None.

Administrative Staff Members Present: Mayor Nicholas Gradisar, Chief of Staff Laura Solano, City Attorney Daniel Kogovsek, City Clerk Marisa Stoller.

E. SPECIAL RECOGNITIONS

**E1 PROCLAMATION: “RENEE F. DOMINGUEZ DAY” - NOVEMBER 14, 2022;
LAVERNE & MIGUEL DOMINGUEZ, MOTHER AND SON OF RENEE**

- President Graham read the proclamation declaring November 14th, 2022 to be Renee F. Dominguez Day.

F. PUBLIC FORUM

- Allison Evans - Hair Loss Awareness
- Quin Friborg - Dr. Carhart
- Lena Pasternak - Dr. Carhart
- Velma Campbell - Take it Down
- Jordan Meacham - Take it Down
- Helen Banner - Dr. Carhart

G. COUNCIL MEMBER AND MAYOR COMMENTARY

Mayor Gradisar thanked the voters for passing 2A and 2B. He updated Council regarding Evraz's construction progress. He also spoke regarding the abortion clinic and the inability for the City to regulate it.

Council members spoke regarding events they attended and matters of public concern.

H. REVIEW OF AGENDA

The agenda was reviewed page by page.

I. APPROVAL OF AGENDA

Councilor Martinez Ortega, seconded by Councilor Winner, moved to continue item R7 to the November 28, 2022 agenda.

Roll Call - **Ayes:** Councilor Flores, Councilor Martinez Ortega. **Nays:** Councilor Atencio, President Graham, Councilor Maestri, Councilor Martinez, Councilor Winner. Motion Failed 2-5.

Councilor Martinez, seconded by Councilor Flores, moved to remove item M3 from the agenda, to move item R7 to after item R1 and to approve the agenda as amended.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MINUTES FOR OCTOBER 24, 2022

Councilor Flores, seconded by Councilor Atencio, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **October 24, 2022** as distributed.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

K. CONSENT AGENDA

Councilor Atencio, seconded by Councilor Martinez Ortega, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for November 28, 2022, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion 7-0.

L. COMMUNICATIONS

L1 MINUTES OF THE PLANNING AND ZONING COMMISSION'S REGULAR MEETINGS DATED APRIL 13, 2022, MAY 11, 2022, JUNE 8, 2022, JULY 13, 2022, AUGUST 10, 2022 AND SEPTEMBER 14, 2022

M. RESOLUTIONS

- M1 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$23,272.55 WITH PARKER EXCAVATING, INC. FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 2410 EAST EVANS AVENUE, PROJECT NO. 20-059 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF SAME**

This Resolution was assigned as 15040.

- M2 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$13,960 TO DOUG VAUGHN, LLC., FOR PROJECT NO. 22-090, CURB AND GUTTER IMPROVEMENTS - GRAND AVENUE BETWEEN 17TH & 18TH STREETS, SETTING FORTH \$5,000 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15041.

- M3 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$123,014.74 TO SHORT-ELLIOTT-HENDRICKSON, INC., A COLORADO CORPORATION, FOR PROJECT NO. 22-041 RFQ DESIGN AND ENGINEERING FOR ADAMS AND JACKSON ROUNDABOUT PROJECT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

Removed from agenda.

- M4 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$70,865.50 TO MEAD & HUNT, INC., A COLORADO CORPORATION, FOR PROJECT NO. 22-073 DESIGN AND ENGINEERING FOR BERKLEY AVENUE AND MESA AVENUE ROUNDABOUT PROJECT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15042.

- M5 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$9,900 TO NORTHSTAR ENGINEERING AND SURVEYING, INC., FOR 22A-039 ENGINEERING AND SURVEYING SERVICES FOR PLATTING OF FIRE STATION NO. 8, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15043.

- M6 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$37,552.30 TO SASQUATCH FLOORING, LLC., A COLORADO LIMITED LIABILITY COMPANY FOR PROJECT NO. 22-074, REPLACE FLOORING IN THE MUNICIPAL COURT AREA AT PUEBLO MUNICIPAL JUSTICE CENTER (PMJC), SETTING FORTH \$3,755.23 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15044.

- M7 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$314,040 TO CGRS, INC., AND SETTING FORTH \$31,404 FOR CONTINGENCIES AND ADDITIONAL WORK FOR PROJECT NO. 22-067**

**INSTALLATION OF DUCKBILL CHECK VALVES ON STORM SEWER
OUTFALL PIPES ALONG FOUNTAIN CREEK AND AUTHORIZING THE
PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15045.

**M8 A RESOLUTION APPROVING AND ACCEPTING A SPECIAL WARRANTY
DEED FROM INHABX, LLC., A COLORADO LIMITED LIABILITY COMPANY,
FOR 0.039 ACRES OF LAND**

This Resolution was assigned as 15046.

**M9 A RESOLUTION APPROVING AND ACCEPTING A PUBLIC ACCESS
EASEMENT AND RIGHT OF WAY FROM INHABX, LLC., A COLORADO
LIMITED LIABILITY COMPANY, FOR 0.063 ACRES OF LAND**

This Resolution was assigned as 15047.

**M10 A RESOLUTION APPROVING AND ACCEPTING A SANITARY SEWER
EASEMENT FROM INHABX, LLC., A COLORADO LIMITED LIABILITY
COMPANY, FOR 0.084 ACRES OF LAND**

This Resolution was assigned as 15048.

**M11 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT
TO THE HISTORIC ARKANSAS RIVERWALK OF PUEBLO AUTHORITY FOR
USE OF VICTORIA AVENUE, GREENWOOD STREET AND ELIZABETH
STREET TO CONDUCT THE ANNUAL HOLIDAY LIGHTING EXTRAVAGANZA**

This Resolution was assigned as 15049.

**M12 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT
TO PUEBLO COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE USE
OF WEST 10TH STREET BETWEEN NORTH MAIN STREET AND COURT
STREET AND NORTH MAIN STREET AND COURT STREET BETWEEN WEST
10TH STREET AND WEST 11TH STREET TO HOST THE COURTHOUSE
LIGHTING CEREMONY**

This Resolution was assigned as 15050.

**M13 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT
TO THE YMCA OF PUEBLO FOR THE USE OF SPAULDING AVENUE,
PARKER BOULEVARD, AND WEST 31ST STREET TO HOST THE ANNUAL
TURKEY TROT - 5K RUN/WALK**

This Resolution was assigned as 15051.

**M14 A RESOLUTION EXTENDING THE TERM OF THE AMERICAN RESCUE PLAN
ACT FIRE FIT KIDS PROJECT FROM DECEMBER 31, 2022 UNTIL DECEMBER
31, 2024**

This Resolution was assigned as 15052.

**M15 A RESOLUTION TO AMEND RESOLUTION NO. 14986 FUNDING SOURCE
FOR PROJECT NO. 22-033 ICE ARENA COOLING TOWER REPLACEMENT**

This Resolution was assigned as 15053.

M16 A RESOLUTION CONSENTING TO PARTICIPATION BY THE BOARD OF WATER WORKS OF PUEBLO, COLORADO IN THE COLORADO INTERGOVERNMENTAL RISK SHARING AGENCY

This Resolution was assigned as 15054.

M17 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF NATHANIEL DINSMORE TO THE PUEBLO MEMORIAL AIRPORT ADVISORY COMMITTEE

This Resolution was assigned as 15055.

M18 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF JOE LATINO, MIKE RICOTTONE, AND TONY MONTOYA TO THE PUEBLO MUNICIPAL GOLF COURSE ENTERPRISE ADVISORY COMMITTEE

This Resolution was assigned as 15056.

N. ORDINANCES – FIRST PRESENTATION

N1 AN ORDINANCE LEVYING AND CERTIFYING THE CITY OF PUEBLO PROPERTY TAX MILL LEVY MADE IN 2022 FOR THE 2023 BUDGET YEAR

N2 AN ORDINANCE LEVYING AND CERTIFYING THE BANDERA BOULEVARD SPECIAL IMPROVEMENT MAINTENANCE DISTRICT PROPERTY TAX MILL LEVY MADE IN 2022 FOR THE 2023 BUDGET YEAR

N3 AN ORDINANCE LEVYING AND CERTIFYING THE SOUTHPOINTE SPECIAL IMPROVEMENT MAINTENANCE DISTRICT PROPERTY TAX MILL LEVY MADE IN 2022 FOR THE 2023 BUDGET YEAR

N4 AN ORDINANCE AWARDING AN AGREEMENT FOR MEP ENGINEERING SERVICES IN THE AMOUNT OF \$21,664 TO BRIDGERS & PAXTON CONSULTING ENGINEERS, INC., FOR 22-013 PROJECT NO.1, MINERAL PALACE ATRIUM HVAC RENOVATION, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

N5 AN ORDINANCE APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND VERO BROADBAND, LLC., A COLORADO LIMITED LIABILITY COMPANY

N6 AN ORDINANCE APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION AND VERO FIBER NETWORKS, LLC., A COLORADO LIMITED LIABILITY COMPANY

- N7 AN ORDINANCE APPROVING THE LANDLORD CONSENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND FREEMAN HOLDINGS OF COLORADO, LLC, A LIMITED LIABILITY CORPORATION, ("FREEMAN") AND CENTENNIAL BANK, FOR FREEMAN TO USE ITS LEASEHOLD INTEREST TO SECURE A BUSINESS LOAN, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**
- N8 AN ORDINANCE APPROVING A JOINT FUNDING AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, TO CONTINUE THE COLLECTION OF HYDROLOGIC DATA ALONG FOUNTAIN CREEK AND THE ARKANSAS RIVER AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT**
- N9 AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE RESTATED ANNEXATION AGREEMENT FOR THE AREA COMMONLY KNOWN AS THE NORTH VISTA ANNEXATION DESCRIBED AS LAND NORTH OF VISION HILLS PARKWAY AND WEST OF TROY AVENUE**
- N10 AN ORDINANCE APPROVING A COOPERATION AGREEMENT WITH PUEBLO TRIPLE AIM CORPORATION AND AUTHORIZING THE MAYOR TO EXECUTE SAME, ESTABLISHING PROJECT NO. PS2214, AND ACCEPTING, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$71,184.48 TO SAID PROJECT**
- N11 AN ORDINANCE AMENDING THE FISCAL YEAR 2022 STAFFING ORDINANCE BY ADDING ONE (1) FULL-TIME POSITION TO THE AUTHORIZED STAFFING OF THE FIRE DEPARTMENT ENTITLED COMMUNITY RISK REDUCTION COORDINATOR IN SUPPORT OF THE DIRECTING OTHERS TO SERVICES (DOTS) PROGRAM**
- N12 AN ORDINANCE AMENDING SECTION 6-5-16 OF CHAPTER 5, OF TITLE VI OF THE PUEBLO MUNICIPAL CODE RELATING TO THE FY 2022 CLASSIFICATION AND PAY PLAN BY ESTABLISHING THE PAY SCALE FOR COMMUNITY RISK REDUCTION COORDINATOR**
- N13 AN ORDINANCE AMENDING THE FISCAL YEAR 2022 STAFFING ORDINANCE BY ADDING ONE (1) FULL-TIME POSITION ENTITLED DIRECTOR/JUST TRANSITIONS PROGRAM TO THE AUTHORIZED STAFFING OF THE MAYOR'S OFFICE**
- N14 AN ORDINANCE AMENDING SECTION 6-5-16 OF CHAPTER 5, OF TITLE VI**

**OF THE PUEBLO MUNICIPAL CODE RELATING TO THE FY 2022
CLASSIFICATION AND PAY PLAN BY ESTABLISHING THE PAY SCALE FOR
DIRECTOR/JUST TRANSITIONS PROGRAM**

**N15 AN ORDINANCE AMENDING THE FISCAL YEAR 2022 STAFFING
ORDINANCE BY ADDING A POSITION FOR TRAINING PURPOSES WITHIN
THE FLEET MAINTENANCE DIVISION**

**N16 AN ORDINANCE AMENDING THE FISCAL YEAR 2022 STAFFING
ORDINANCE BY ADDING A POSITION FOR TRAINING PURPOSES WITHIN
THE DEPARTMENT OF THE CITY CLERK**

**N17 AN ORDINANCE AMENDING SECTION 2-1-1 OF TITLE II OF CHAPTER 1 OF
THE PUEBLO MUNICIPAL CODE RELATING TO THE MONTHLY
COMPENSATION OF ELECTED MEMBERS OF THE CIVIL SERVICE
COMMISSION**

**N18 AN ORDINANCE APPROVING AN AMENDMENT TO THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 3 RELATING TO
WORK SCHEDULES FOR FIREFIGHTERS ASSIGNED TO WORK FOCUS
RESPONSE VEHICLES**

**N19 AN ORDINANCE APPROVING AND ACCEPTING A GRANT AWARD TO THE
CITY OF PUEBLO AND PUEBLO POLICE DEPARTMENT FROM THE PATRICK
LEAHY BULLETPROOF VEST PARTNERSHIP ADMINISTERED BY THE U.S.
DEPARTMENT OF JUSTICE, ACCEPTING \$5,537.87 FOR YEAR 2022,
ESTABLISHING PROJECT NUMBER PS2212, AND BUDGETING AND
APPROPRIATING FUNDS NOT TO EXCEED \$5,537.87 TO PROJECT NUMBER
PS2212**

**N20 AN ORDINANCE APPROVING AND AUTHORIZING A MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF PUEBLO, A MUNICIPAL
CORPORATION, AND THE PUEBLO COUNTY SHERIFF'S OFFICE,
REGARDING THE USE OF A FARO 3D CSI CAMERA SYSTEM, AND
RATIFYING THE MAYOR'S SIGNATURE THEREOF**

**N21 AN ORDINANCE APPROVING AN AGREEMENT BETWEEN PUEBLO SCHOOL
DISTRICT 60, DBA PUEBLO CITY SCHOOLS, AND THE CITY OF PUEBLO
FOR THE SCHOOL RESOURCE OFFICER PROGRAM DURING THE PERIOD
OF JANUARY 1 THROUGH DECEMBER 31, 2023, AND AUTHORIZING THE
MAYOR TO EXECUTE SAME**

N22 AN ORDINANCE MAKING APPROPRIATION FOR THE GENERAL FUND, SPECIAL REVENUE FUNDS, ENTERPRISE FUNDS, INTERNAL SERVICE FUNDS, DEBT SERVICE FUNDS, AND CAPITAL PROJECT FUNDS FOR THE FISCAL YEAR 2023 AND ADOPTING THE BUDGET FOR THE YEAR 2023

N23 AN ORDINANCE SUSPENDING THE PAYMENT OF THE MONTHLY STREET REPAIR UTILITY SERVICE CHARGES FOR TWELVE CONSECUTIVE MONTHS BEGINNING WITH EACH UTILITY CUSTOMER'S JANUARY, 2023 UTILITY BILL

O. APPROVAL OF CONSENT AGENDA

Councilor Atencio, seconded by Councilor Martinez Ortega, moved to approve the minutes of the Planning & Zoning Commission, approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for November 28, 2022, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

P. REGULAR AGENDA

Q. RESOLUTIONS

Q1 A RESOLUTION AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$818,080 TO K. R. SWERDFEGER CONSTRUCTION, INC., AND SETTING FORTH \$163,616 FOR CONTINGENCIES, FOR PROJECT NO. 22-061 (WW1901) 2022 NORTH ELIZABETH UPSIZING REHABILITATION PROJECT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

A staff report and detailed review of the Resolution was given by Andra Ahrens, Director of Wastewater.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15057.

Q2 A RESOLUTION ESTABLISHING PROJECT NUMBER PST2202, AND AUTHORIZING THE TRANSFER OF \$1,078,000 FROM THE PUBLIC SAFETY SALES TAX ACCOUNT INTO PROJECT NUMBER PST2202 FOR THE PURPOSE OF PURCHASING NEW MARKED POLICE VEHICLES

A staff report and detailed review of the Resolution was given by Chris Noeller, Chief of Police.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15058.

Q3 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO THE LATINO CHAMBER DEVELOPMENT FOUNDATION IN THE AMOUNT OF \$1,025 TO SUPPORT THE 11TH ANNUAL "FESTIVAL OF TREES" EVENT ON THURSDAY, DECEMBER 8, 2022, AT 5 PM AT THE PUEBLO UNION DEPOT

A staff report and detailed review of the Resolution was given by Councilor Sarah Martinez.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15059.

Q4 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO THE PUEBLO COMMUNITY SOUP KITCHEN IN THE AMOUNT OF \$10,000 TO PURCHASE AND UPDATE KITCHEN EQUIPMENT

A staff report and detailed review of the Resolution was given by Councilor Lori Winner.

Councilor Martinez Ortega, seconded by Councilor Atencio, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15060.

Q5 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO PEDCO IN THE AMOUNT OF \$2,500 TO SPONSOR THE PUEBLO ECONOMIC OUTLOOK FORUM ON FRIDAY, NOVEMBER 18 AT 7 AM IN THE FORTINO BALLROOM OF PUEBLO COMMUNITY COLLEGE

A staff report and detailed review of the Resolution was given by Councilor Dennis Flores.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor

Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.
Motion Passed 7-0.

This Resolution was assigned as 15061.

Q6 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO ROSELAWN FOUNDATION IN THE AMOUNT OF \$3,000 TO SPONSOR THE "WREATHS ACROSS AMERICA" EVENT ON SATURDAY, DECEMBER 17 AT 12 PM AT ROSELAWN CEMETERY

A staff report and detailed review of the Resolution was given by Councilor Regina Maestri.

Councilor Winner, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.
Motion Passed 7-0.

This Resolution was assigned as 15062.

Q7 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET IN THE AMOUNT OF \$1,000 TO ASSIST IN FUNDING THE BESSEMER NEIGHBORHOOD HOLIDAY LIGHTING

A staff report and detailed review of the Resolution was given by Councilor Vicente Martinez Ortega.

Councilor Flores, seconded by Councilor Martinez Ortega, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.
Motion Passed 7-0.

This Resolution was assigned as 15063.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE AMENDING SECTION 14-4-76 OF THE PUEBLO MUNICIPAL CODE RELATING TO SALES AND USE TAX AND EXEMPTING FROM SALES TAX ALL SALES OF PERIOD PRODUCTS, INCONTINENCE PRODUCTS AND DIAPERS PURCHASED ON AND AFTER JANUARY 1, 2023

A staff report and detailed review of the Ordinance was given by Deputy City Attorney Robert Jagger.

PUBLIC HEARING:

- Patience Ruiz appeared in person to speak in favor of this ordinance
- Jade Moore appeared in person to speak in favor of this ordinance
- Sofia Johnson appeared in person to speak in favor of this ordinance
- Brandi Akai appeared in person to speak in favor of this ordinance

- Elvis Martinez appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Councilor Martinez, seconded by Councilor Martinez Ortega, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** Councilor Maestri. Motion Passed 6-1.

This Ordinance was assigned as **10318**.

R7 AN ORDINANCE CREATING A NEW SECTION 14 OF CHAPTER 1 OF TITLE XV OF THE PUEBLO MUNICIPAL CODE RELATING TO PEDESTRIAN SAFETY AND ACCESS TO SIDEWALKS AND PUBLIC RIGHTS OF WAY IN THE DOWNTOWN BUSINESS AREA OF THE CITY

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Duane Nava appeared in person to speak in favor of this ordinance
- Redy Burna appeared in person to speak in favor of this ordinance
- Sean Conti appeared in person to speak in favor of this ordinance
- Bill Swabe appeared in person to speak in favor of this ordinance
- Jackie Seabold appeared in person to speak in favor of this ordinance
- Anita Stapleton appeared in person to speak in favor of this ordinance
- Jim Sprague appeared in person to speak in favor of this ordinance
- Michael Fetti appeared in person to speak in favor of this ordinance
- Alison Rae appeared in person to speak against this ordinance
- Megan Crowel appeared in person to speak against this ordinance
- Joan Botello appeared in person to speak regarding this ordinance
- Sarah Moaney appeared in person to speak against this ordinance
- Robert Simpson Lewis Jr appeared in person to speak against this ordinance
- Elvis Martinez appeared in person to speak against this ordinance
- Jordan Meakam appeared in person to speak against this ordinance
- Christy Cero appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Councilor Winner, seconded by President Graham, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Flores, President Graham, Councilor Maestri. **Nays:** Councilor Atencio, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. Motion Failed 3-4.

R2 AN ORDINANCE BUDGETING AND APPROPRIATING AN ADDITIONAL \$391,593 IN PACOG FY-2022-2023 CONSOLIDATED PLANNING GRANT FUNDS FOR TRANSPORTATION PLANNING SERVICES RELATED TO THE CITY OF PUEBLO AND PUEBLO AREA COUNCIL OF GOVERNMENTS 2023

DELEGATION AGREEMENT FOR TRANSPORTATION PLANNING SERVICES

A staff report and detailed review of the Ordinance was given by Eva Cosleyon, MPO Manager.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10319**.

R3 AN ORDINANCE APPROVING A DELEGATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE PUEBLO AREA COUNCIL OF GOVERNMENTS FOR 2023 TRANSPORTATION PLANNING SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE SAME

A staff report and detailed review of the Ordinance was given by Eva Cosleyon, MPO Manager.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10320**.

R4 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE A PORTION OF LOTS 15, 16, 17, AND ALL OF 18 TO 21, BLOCK 2, DELAVAN PLACE SUBDIVISION FROM B-4, CENTRAL BUSINESS DISTRICT TO R-5, MULTIPLE RESIDENTIAL AND OFFICE DISTRICT

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested that the Planning & Zoning documents for this item, Case #Z22-13 dated September 14, 2022, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10321.

R5 AN ORDINANCE VACATING A PORTION OF SUMNER AVENUE, PEARL STREET AND BURDETTE AVENUE GENERALLY LOCATED AT SUMNER AVENUE AND PEARL STREET

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested that the Planning & Zoning documents for this item, Case #V22-06 dated September 14, 2022, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Atencio, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10322.

R6 AN ORDINANCE APPROVING A HANGAR LEASE AGREEMENT FOR 530 SKYWAY STREET AT PUEBLO MEMORIAL AIRPORT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND JAMES SPITZER, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10323.

R8 AN ORDINANCE AMENDING CHAPTER 4 OF TITLE XI OF THE PUEBLO MUNICIPAL CODE TO ALLOW ANIMAL SHELTER PERSONNEL TO ADMINISTER ANIMAL VACCINATIONS

A staff report and detailed review of the Ordinance was given by Assistant City Attorney James Wagner.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10324.**

R9 AN ORDINANCE AMENDING CHAPTER 3 OF TITLE XI OF THE PUEBLO MUNICIPAL CODE TO ALLOW THE CITY CLERK TO ADMINISTRATIVELY APPROVE CERTAIN LIQUOR LICENSE MATTERS DESIGNATED BY THE LIQUOR BOARD WHEN ALLOWED BY STATE LAW

A staff report and detailed review of the Ordinance was given by City Clerk Marisa Stoller.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10325.**

S. EMERGENCY ORDINANCE

S1 AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 10058 TO ENLARGE THE TIME FRAME WITHIN WHICH THE MAYOR MAY DECLARE TEMPORARY HOUSING AND SHELTER EMERGENCIES FROM DECEMBER 1ST TO NOVEMBER 1ST OF EACH YEAR

A staff report and detailed review of the Ordinance was given by City Attorney Daniel Kogovsek.

PUBLIC HEARING:

- Robert S. Lewis Jr. appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Councilor Martinez, seconded by Councilor Martinez Ortega, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10326**.

T. ADJOURN

President Graham adjourned the meeting at 11:10 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marisa Stoller", written in a cursive style.

Marisa Stoller
City Clerk