



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, JANUARY 13, 2025 - 7:00 PM**

MINUTES

A. CALL TO ORDER

President Aliff called the meeting to order at 7:15 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Mark Aliff, Brett Boston, Dennis Flores, Roger Gomez, Joe Latino, Regina Maestri, Sarah Martinez.

Council Members Present via Zoom: None.

Council Members Absent: None.

Administrative Staff Members Present: Mayor Heather Graham, Chief of Staff Brian McCain, City Attorney Carla Sikes, City Clerk Marisa Stoller.

E. ELECTION OF 2025 OFFICERS

Roger Gomez, seconded by Joe Latino, nominated Mark Aliff for President.

Sarah Martinez, seconded by Dennis Flores, nominated Dennis Flores for President.

A secret ballot was conducted. Mark Aliff received 4 votes and Dennis Flores received 3 votes. Mark Aliff was declared President.

Dennis Flores, seconded by Brett Boston, nominated Sarah Martinez for Vice President.

Roger Gomez, seconded by Regina Maestri, nominated Brett Boston for Vice President.

A secret ballot was conducted. Brett Boston received 5 votes and Sarah Martinez received 2 votes. Brett Boston was declared Vice President.

President Aliff appointed Roger Gomez as Executive Committee Chair.

F. SPECIAL RECOGNITIONS

F1 PROCLAMATION PRESENTATION: "DR. MARTIN LUTHER KING, JR. DAY - JANUARY 20, 2025" - ROXANA MACK & NAACP EXECUTIVE COMMITTEE

G. PUBLIC FORUM

- Charlie Fetty - PEDCO and Steel Mill
- Elvis Martinez - CORAS/Spam Fire/PD/Clean-ups
- Rodney Sanders - Catholic Charities Works
- David Cockrell - rescind 16313 - 100% renewables
- Jimmy Duffner - CCHH
- Kathy Nicholas - CSU Pueblo Project

H. COUNCIL MEMBER AND MAYOR COMMENTARY

Council members expressed comments regarding community-related issues and events/functions they attended.

I. REVIEW AND APPROVAL OF AGENDA

The agenda was reviewed page by page.

Councilor Martinez, seconded by Councilor Boston, moved to move item M3 to the regular agenda and to approve the agenda as amended.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MEETING MINUTES DECEMBER 23, 2024

Councilor Martinez, seconded by Councilor Flores, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **December 23, 2024** as distributed.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

K. CONSENT AGENDA

L. COMMUNICATIONS

L1 MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING OR 11/13/2024

M. RESOLUTIONS

M1 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-24-36) TO BIF IV INTREPID OPCO., LLC., FOR THE PURPOSE OF ALLOWING AN AUTHORIZED STRUCTURE TO BE WITHIN THE PERMITTED AREA UNTIL TERMINATION OR REVOCATION OF THIS REVOCABLE PERMIT FOR USE OF THE EXISTING CITY BRIDGE OVER I-25 AND THE RAILROAD BETWEEN ELM STREET AND TAYLOR AVENUE

This Resolution was assigned as 15870.

- M2 A RESOLUTION APPROVING AN AGREEMENT BETWEEN NEIGHBORHOOD HOUSING SERVICES OF PUEBLO, INC., DBA NEIGHBORWORKS OF SOUTHERN COLORADO, INC., A COLORADO NON-PROFIT CORPORATION AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, FOR THE CONVEYANCE OF PROPERTY, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

This Resolution was assigned as 15871.

- M4 A RESOLUTION DESIGNATING PUBLIC PLACES FOR THE POSTING OF NOTICE OF MEETINGS FOR THE PUEBLO CITY COUNCIL FOR THE YEAR 2025**

This Resolution was assigned as 15872.

- M5 A RESOLUTION DESIGNATING A PUBLIC PLACE FOR THE POSTING OF NOTICE OF MEETINGS FOR ALL BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF PUEBLO FOR THE YEAR 2025**

This Resolution was assigned as 15873.

- M6 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF THOMAS LUCHIN TO SERVE A THREE-YEAR TERM EXPIRING DECEMBER 1, 2027, ON THE PUEBLO HUMAN RELATIONS COMMISSION**

This Resolution was assigned as 15874.

- M7 A RESOLUTION ADOPTING THE 2025 CITY OF PUEBLO THREE-MILE ANNEXATION PLAN FOR THE CITY OF PUEBLO FOR THE PURPOSES OF ANNEXATION AS REQUIRED BY THE MUNICIPAL ANNEXATION ACT OF 1965 AND RESCINDING ALL ANNEXATION MASTER PLANS PREVIOUSLY ADOPTED**

This Resolution was assigned as 15875.

- M8 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL ELECTRICAL SERVICES IN THE AMOUNT OF \$10,500.00 TO SUN VALLEY CONTRACTORS, LLC, A COLORADO LIMITED LIABILITY COMPANY, FOR PROJECT NO. 24-141 29TH STREET PUMP STATION ELECTRICAL EVALUATION AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME**

This Resolution was assigned as 15876.

- M9 A RESOLUTION APPROVING COMPENSATION WITH RESPECT TO LEGAL SERVICES AGREEMENT WITH BERG, HILL, GREENLEAF, RUSCITTI LLP**

This Resolution was assigned as 15877.

N. ORDINANCES – FIRST PRESENTATION

- N1 AN ORDINANCE APPROVING AN AGREEMENT IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS TO PROVIDE EVICTION PREVENTION ASSISTANCE BETWEEN THE COUNTY OF PUEBLO AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND AUTHORIZING**

THE MAYOR TO EXECUTE SAME

- N2 AN ORDINANCE AMENDING SECTION 17-2-2, SECTION 17-4-15 AND SECTION 17-4-51 OF CHAPTER 4 OF TITLE XVII OF THE PUEBLO MUNICIPAL CODE RELATING TO NATURAL MEDICINE**
- N3 AN ORDINANCE APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY IN THE AMOUNT OF \$750,000, ESTABLISHING PROJECT NUMBER PL2501, AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$750,000 RELATING TO THE EPA BROWNFIELDS MULTIPURPOSE GRANT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**
- N4 AN ORDINANCE AMENDING THE FISCAL YEAR 2025 STAFFING ORDINANCE BY CONVERTING THREE (3) FULL-TIME VACANT FIRE FIGHTER POSITIONS WITHIN THE AUTHORIZED STAFFING OF THE FIRE DEPARTMENT**
- N5 AN ORDINANCE RELATING TO AND PROVIDING FOR AN ENHANCED TUITION REIMBURSEMENT PROGRAM FOR CITY EMPLOYEES**
- N6 AN ORDINANCE ANNEXING UNINCORPORATED LAND COMMONLY KNOWN AS THE PUEBLO RECREATION RESORT FILING NO. 1 ANNEXATION TO THE CITY OF PUEBLO DESCRIBED AS 79.80-ACRES OF LAND LOCATED NORTH OF STATE HIGHWAY 78, SOUTHWEST OF VENTANA SUBDIVISION, FILING NO. 1, AND EAST OF THE SOUTHSIDE LANDFILL**
- N7 AN ORDINANCE ANNEXING UNINCORPORATED LAND COMMONLY KNOWN AS THE PUEBLO RECREATION RESORT FILING NO. 2 ANNEXATION TO THE CITY OF PUEBLO DESCRIBED AS 219.76-ACRES OF LAND LOCATED SOUTHWEST OF VENTANA SUBDIVISION, FILING NO. 1, AND WEST OF THE WESTMOOR SUBDIVISION OF UNINCORPORATED PUEBLO COUNTY**

O. APPROVAL OF CONSENT AGENDA

Councilor Boston, seconded by Councilor Gomez, 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 January 27, 2025, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

P. REGULAR AGENDA

M3 A RESOLUTION RESCINDING RESOLUTION NO 14299, ESTABLISHING A COMMUNITY COMMISSION ON HOUSING AND HOMELESSNESS AND APPOINTING CO-CHAIRS AND MEMBERS THERETO, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

This item was removed from the consent agenda. A staff report was given by Melissa Cook, Interim Director of Housing.

- Kathy Nichols appeared via zoom to speak against this resolution
- Patrick Hurley appeared in person to speak against this resolution
- Jimmy Duffner appeared in person to speak against this resolution
- Elvis Martinez appeared in person to speak against this resolution

Councilor Gomez, seconded by Councilor Maestri, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Gomez. **Nays:** President Aliff, Councilor Boston, Councilor Flores, Councilor Latino, Councilor Maestri, Councilor Martinez. Motion Failed 1-6.

Q. RESOLUTIONS

Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO BOYS & GIRLS CLUB OF PUEBLO COUNTY IN THE AMOUNT OF \$2,000 TO SPONSOR A TABLE AT THE BOYS & GIRLS CLUBS OF PUEBLO COUNTY CHAMPIONS OF YOUTH DINNER AT THE PUEBLO CONVENTION CENTER ON THURSDAY MARCH 13, 2025 AT 5:30 PM

A staff report and detailed review of the Resolution was given by Brian McCain, Chief of Staff.

- Elvis Martinez appeared in person to speak against this resolution

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15878.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE APPROVING AND ACCEPTING A GRANT AGREEMENT AND APPLICABLE CONDITIONS PERTAINING THERETO WITH THE COLORADO DEPARTMENT OF LOCAL AFFAIRS (DOLA) FOR THE "ENERGY & MINERAL ASSISTANCE PROGRAM" GRANT, IN THE AMOUNT OF \$1,000,000.00 FROM NOVEMBER 26, 2024 THROUGH JUNE 30, 2026, ESTABLISHING PROJECT NUMBER PS2410, BUDGETING AND APPROPRIATING FUNDS INTO PROJECT PS2410 AND AUTHORIZING THE MAYOR TO EXECUTE SAME

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

PUBLIC HEARING:

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

Councilor Boston, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10877.

R2 AN ORDINANCE APPROVING AND ACCEPTING A GRANT AWARD LETTER AND APPLICABLE CONDITIONS PERTAINING THERETO WITH THE COLORADO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE FOR THE "BYRNE STATE CRISIS INTERVENTION PROGRAM" GRANT, IN THE AMOUNT OF \$301, 648, FROM NOVEMBER 1, 2024 THROUGH DECEMBER 31, 2025, ESTABLISHING PROJECT NUMBER PS2411, BUDGETING AND APPROPRIATING FUNDS INTO PROJECT NUMBER PS2411, AND AUTHORIZING MAYOR TO EXECUTE SAME

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

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10878.

R3 AN ORDINANCE APPROVING AND ACCEPTING A U.S. DEPARTMENT OF JUSTICE 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (2024 JAG) GRANT, AWARD #15PBJA-24-GG-05212-JAGX, AND APPLICABLE CONDITIONS PERTAINING THERETO, ESTABLISHING PROJECT NUMBER PS2412, BUDGETING AND APPROPRIATING FUNDS NOT TO EXCEED \$104,034.00, AUTHORIZING MAYOR TO EXECUTE SAME AND RELATED CERTIFICATIONS, ASSURANCES, AND OTHER DOCUMENTS, APPROVING AND RATIFYING THE SEPTEMBER 9, 2024, MEMORANDUM OF UNDERSTANDING CONCERNING RECEIPT AND DISBURSEMENT OF FUNDS, AND AUTHORIZING MAYOR TO EXECUTE SAME AND RATIFYING THEIR SIGNATURE THERETO

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

PUBLIC HEARING:

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

Councilor Latino, seconded by Councilor Maestri, moved to approve the Ordinance on final

presentation.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10879.

R4 AN ORDINANCE APPROVING AND ACCEPTING A GRANT AGREEMENT FOR THE CITY OF PUEBLO FROM THE COLORADO HEALTH FOUNDATION, AUTHORIZING THE MAYOR TO EXECUTE THE SAME, ESTABLISHING PROJECT NO. CI2458, AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$545,457.00 TO PROJECT NO. CI2458

A staff report and detailed review of the Ordinance was given by Steven Meier, Director of Parks & Recreation.

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10880.

R5 AN ORDINANCE APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND FALCON BROADBAND, LLC., A COLORADO LIMITED LIABILITY COMPANY DBA, STRATUS IQ

A staff report and detailed review of the Ordinance was given by Charles Roy, Deputy Director of Public Works.

PUBLIC HEARING:

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

Councilor Boston, seconded by Councilor Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10881.

R6 AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) AND AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT (CBA) BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 3 RELATING TO SICK LEAVE VERIFICATION

A staff report and detailed review of the Ordinance was given by Barb Huber, Fire Chief.

PUBLIC HEARING:

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

Councilor Gomez, seconded by Councilor Boston, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10882**.

R7 AN ORDINANCE AMENDING CHAPTER 5 OF TITLE II OF THE PUEBLO MUNICIPAL CODE RELATING TO THE PUEBLO COMMISSION ON ENERGY

A staff report and detailed review of the Ordinance was given by Harley Gifford, Deputy City Attorney.

PUBLIC HEARING:

- Ken Danti appeared in person to speak against this ordinance
- Tom Corlett appeared via zoom to speak against this ordinance
- Jodi Hendershott appeared via zoom to speak against this ordinance
- Edggy Walwraith appeared in person to speak against this ordinance
- Mike Wakefield appeared in person to speak against this ordinance

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

Councilor Boston, seconded by Councilor Gomez, moved to approve the ordinance.

Councilor Boston withdrew his motion.

Councilor Boston moved to postpone the Ordinance to the February 10, 2024 meeting. The motion died for lack of a second.

Councilor Martinez, seconded by President Aliff, moved to approve the ordinance.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Maestri, Councilor Martinez. **Nays:** Councilor Flores, Councilor Latino. Motion Passed 5-2.

This Ordinance was assigned as **10883**.

R8 AN ORDINANCE AMENDING PUEBLO MUNICIPAL CODE SECTION 11-4.5-4 ANIMAL HOLDING PERIODS

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

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** Councilor Flores, Councilor Martinez. **Nays:** President Aliff, Councilor

Boston, Councilor Gomez, Councilor Latino, Councilor Maestri. Motion Failed 2-5.

S. ADJOURN

President Aliff adjourned the meeting at 10:28 p.m.

Respectfully submitted,

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

Marisa Stoller
City Clerk