



CITY OF FLORENCE  
CITY COUNCIL MEETING  
December 16, 2019

1. **CALL TO ORDER:** Mayor Upton called the regular meeting of the Florence City Council to order at 7:00 pm.

2. **PLEDGE OF ALLEGIANCE:** Councilman Allen led the assembly in the Pledge of Allegiance.

3. **ROLL CALL:**

Mayor Upton	-	Present
Councilmem Allen	-	Present
Councilman Esquiabel	-	Present
Councilman Knisley	-	Present
Councilman Vendetti	-	Present
Councilwoman Wood	-	Present
Councilman Villagrana	-	Present

4. **ALSO PRESENT:** City Manager, Mike Patterson; City Attorney, Matt Krob; Interim City Clerk, Jessica Griffith; Public Works, Martin Lancaster; Finance Officer, Lori Cobler; Planning Director, Wade Broadhead; Water Department, Brandon Harris and Police Chief, Shane Prickett

5. **PUBLIC COMMENTS:**

Joanne Mohr with the Florence Farmers Market

Mrs. Mohr stated to the Council she had submitted a letter on behalf of the Florence Farmers Market Committee requesting permission to use Pioneer Park on Thursdays starting June 4, 2020, through September 24, 2020, from 7:00 am to 2:00 pm for the 13<sup>th</sup> annual Farmers Market. Mrs. Mohr continued by saying the Committee would be providing the City with a copy of their liability insurance listing the City as the certificate holder. Mrs. Mohr asked if the Council would waive any fees associated with using the park. The Council verified that Mrs. Mohr was referring to park use fees only and any type of sales tax fees, to which Mrs. Mohr confirmed she was only seeking to have the Council waive the park reservation fees. The Council voted to approve the requested and thanked Mrs. Mohr.

**MOTION:** On a motion by Councilor Esquiabel and second by Councilor Knisley, the City approved to Waive the Park Reservation Fees for the 2020 Farmers Market.



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**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel
- Council Member Allen
- Mayor Upton

**6. ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA: N/A**

**7. APPROVAL OF CONSENT AGENDA ITEMS:**

- a. Meeting Minutes for December 16, 2019
- b. Bills Allowed
- c. Continue Ordinance 07-01-2019B to Approve the Meade Estates Addition Annexation to January 6, 2020
- d. Liquor License Renewal for Turmeric Restaurant
- e. Liquor License Renewal for Sumo Golf Course Company

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Esquibel, the City approved the Consent Agenda Items.

**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel
- Council Member Allen
- Mayor Upton

**8. DISCUSSION & ACTION MATTERS:**

- a. **Public Hearing-Special Events Permit for the Special Forces Motorcycle Club INC. Events to be held on January 1, or 4, 2020 from 12:00 pm to 2:00 am**

Mayor Upton opened into a public hearing where Brent Bendell from 115 E. 2<sup>nd</sup> St. addressed the Council regarding the event. Mr. Bendell explained the local Special Forces Motorcycle Club located at 206 S. Pikes Peak will be the endpoint for the America Legion and Harley Davidson HOG riders Brass Nut Run event. Mr. Bendell continued by saying they will be holding a drawing, providing live music, food and



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spirituous/malt beverages and the proceeds from the event will benefit Veterans and educational awareness for Veteran suicide. Mr. Bendell stated the Club will be speaking to the Senior Center to make sure there are no issues with parking.

Mayor Upton closed the public hearing and verified with the Interim City Clerk that all fees had been paid and all the necessary paperwork had been submitted.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Villagrana, the City approved the Special Events Permit for the Special Forces Motorcycle Inc.

**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel
- Council Member Allen
- Mayor Upton

**b. Public Hearing-Special Events Permit for the Florence Elks Club. Event to be held on December 31, from 12:00 pm to 2:00 am**

Mayor Upton opened into a public hearing where Charlette Henager from 714 W. 7<sup>th</sup> St. addressed the Council regarding the event. Ms. Henager explained the Elks Club will be having a New Year's Eve Dance open to the public. Ms. Henager continued by saying they will be serving beer from the Florence Brewery as well as wine and other liquor. They will have a live DJ and a food truck as well. Ms. Henager stated they had partnered with a cab company to give party-goers free rides home from 11 pm to 1 am.

Mayor Upton closed the public hearing and verified with the Interim City Clerk that all fees had been paid and all the necessary paperwork had been submitted.

**MOTION:** On a motion by Councilor Allen and second by Councilor Wood, the City approved the Special Events Permit for the Florence Elks Club

**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel



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Council Member Allen  
Mayor Upton

**c. Ordinance 12-16-2019B-An Emergency Ordinance Appropriating Funds for the 2020 Budget**

Finance Officer, Lori Cobler explained she had finalized the budget for 2020. Mrs. Cobler asked the Council if they had any questions or concerns regarding the budget. The Council nor the public had any questions or comments.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Esquibel, the City approved Ordinance 12-16-2019B

**ROLL CALL VOTE: AYES**

Council Member Villagrana  
Council Member Knisley  
Council Member Vendetti  
Council Member Wood  
Council Member Esquibel  
Council Member Allen  
Mayor Upton

**d. Resolution 2019-12-16B- A Resolution to Approve the Mill Levy**

Finance Officer Lori Cobler explained this is to levy property taxes for 2019. Mrs. Cobler continued by saying this will allow her to send the certified copy of the City's mill levy to Fremont County.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Allen, the City approved Resolution 2019-12-16B.

**ROLL CALL VOTE: AYES**

Council Member Villagrana  
Council Member Knisley  
Council Member Vendetti  
Council Member Wood  
Council Member Esquibel  
Council Member Allen  
Mayor Upton

**e. Resolution 2019-12-16D-A Resolution Summarizing Expenditures for the 2020 Budget**

Finance Officer, Lori Cobler explained this resolution was to appropriate the expenditures for each line item. Mrs. Cobler stated the biggest change she had made in the budget since the last Council meeting was the



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evaluation for the mill levy had come in and those numbers had been added to the 2020 budget.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Wood, the City approved Resolution 2019-12-16D.

**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel
- Council Member Allen
- Mayor Upton

**f. Ordinance 12-16-2019C- Emergency Ordinance for Professional Services with Municipal Judge Larry Allen**

At 7:23 pm Council Member Allen stated that due to the fact that Judge Larry Allen is his father, he would be recusing himself from voting on this item and left the Council Chambers.

City Manager, Mike Patterson explained this was an Ordinance to set the Municipal Judges salary. Mr. Patterson continued by saying there was a four percent salary increase which is what most employees would see next year.

City Attorney, Matt Krob explained to the Council the reason this was an emergency ordinance was due to the fact the Judge Allen's current contract was due to expire on December 31 and the next court date is January 18, 2020. Mr. Krob continued by saying that does not leave enough time to pass this as a normal ordinance that requires two reading and being published for an additional thirty days.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Esquibel, the City approved Ordinance 12-16-2019C.

**ROLL CALL VOTE: AYES**

- Council Member Villagrana
- Council Member Knisley
- Council Member Vendetti
- Council Member Wood
- Council Member Esquibel
- Council Member Allen-Absent
- Mayor Upton



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**g. Master Services Agreement for the Water Department**

Water Superintendent, Brandon Harris explained to the Council this is an agreement between the City and CH2M HILL Engineers, Inc. for professional services. Mr. Harris stated the rate was originally supposed to go up by three percent every year but did not increase at all in 2019. Mr. Harris continued by saying CH2M is still honoring the original agreement and only increasing fees by the three percent for 2020.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Esquibel, the City approved the Master Services Agreement.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton

**h. Task Order #5 for the Water Department**

Water Superintendent, Brandon Harris explained to the Council that with their approval of this task order number five, the City would be able to move forward into the next phase of the water main replacement project along north Pikes Peak avenue and highway 67. Mr. Harris stated that in this agreement it states the fees for design and engineering are not to exceed \$217,136.00. Mr. Harris continued by saying the water main along the north Pikes Peak corridor is one of the last one-hundred-year-old lines that are in need of being replaced. Mr. Harris stated this project would consist of replacing eight blocks of water main pipe and take approximately three months' time to complete.

**MOTION:** On a motion by Councilor Wood and second by Councilor Allen, the City approved Task Order #5.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton



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i. **Resolution 2019-12-16A-Resolution Allowing a Professional Office as a Use by Special Review in the Central Historic Business District Zone at 211 East Front St.**

Planning Director, Wade Broadhead explained that in 2006 the City Council zoned a large swath of downtown as CHB or Central Historic Business District, thus retaining the small-town charm and keeping the historic character of downtown. Mr. Broadhead continued by saying in some cases this kind of zoning does not work for certain types of business, like a law office in this instance. Mr. Broadhead stated rather than trying to rezone all of the CHB, it's a little simpler to issue a special use permit in these types of cases. Mr. Broadhead explained the applicant is would like to open his law office at this location and the Planning Commission had heard from the applicant, approved the special use permit unanimously and recommended approval.

Mayor Upton opened into public hearing where the applicant, Brock Miller addressed the Council. Mr. Miller stated he and his partner, Julianne Smith opened in September and focus primarily on family law. Mr. Miller stated he appreciates the opportunity to open his office here in Florence and looks forward to serving this great little community.

**MOTION:** On a motion by Councilor Vendetti and second by Councilor Esquibel, the City approved Resolution 2019-12-16A.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton

j. **Ordinance 12-16-2019A-An Ordinance Authorizing the Mayor to Sell Real Estate Located at 331 Denver St, Florence Co**

Planning Director, Wade Broadhead explained that back in October the Council had heard from Mr. Chris Owen in regards to trying to sell this property for his father, John Archuletta, owns at 331 Denver St. Mr. Broadhead further explained that a piece of City-owned property runs through a portion of Mr. Archuletta's property. Mr. Broadhead stated this



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turn of the century home was actually moved to this property in the nineteen sixties and somewhere down the line the property lines got intertwined. Mr. Broadhead continued by saying that after much research he and the City Attorney had determined the best solution was to sell the City-owned lots via a quitclaim deed to Mr. Archuletta in the amount of ten dollars. Mr. Broadhead stated the County assessor had valued the City's lots at six hundred and fifty dollars and that the fact that Mr. Archuletta had maintained the lots since the sixties, he has put in well over the assessor's value in maintenance.

Councilor Knisley stated he would like to see a property survey done as a stipulation of the sell to help both sides to identify exactly where the property lines were. The Council, City staff and Mr. Owen agreed to split the cost of the survey fifty/fifty.

**MOTION:** On a motion by Councilor Villagrana and second by Councilor Esquibel, the City approved Ordinance 12-16-2019A.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton

k. **Resolution 2019-12-16C-A Resolution Directing Staff to Correct Mapping Error at 301 E. 2<sup>nd</sup> St**

Planning Director, Wade Broadhead explained that in the original Platt of this property describes the property line is the bank of Coal Creek. Mr. Broadhead continued by saying at some point over the years the property line has encroached inward about twenty feet, and now runs through the property owner's garage and house. Mr. Broadhead stated that through his research he and the City Manager, Mike Patterson, have determined this is a mapping error. Mr. Patterson stated to the Council that this property was never owned by the City but is a result of an error in electronic mapping.

Ines Peschiera, the property owner stated that she had purchased this property because the lot size suited the needs of her son with the original property lines. Mrs. Peschiera continued by saying in all of her research she has been unable to find any documentation stating when the boundary lines were ever moved.





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Mr. Broadhead stated that if the Council passed this resolution, he would begin the process of correcting this issue with the County.

**MOTION:** On a motion by Councilor Allen and second by Councilor Knisley, the City approved Resolution 2019-12-16C.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton

**1. Approval to Move Regularly Scheduled City Council Meetings Dates Due to Holidays for the 2020 year 1/20/20 to 1/21/20, 2/17/20 to 2/18/20 - 9/7/20 to 9/8/20**

**MOTION:** On a motion by Councilor Wood and second by Councilor Allen, the City approved Moving the January, February and September Meetings.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood
Council Member	Esquibel
Council Member	Allen
Mayor	Upton

**1. MAYOR’S AND CITY COUNCILS REPORT:**

**a. Mayor:**

Mayor Upton stated that he would like to see more student/City Council involvement and has been working with the school principals to implement a program where students who earn special recognition at school also get invited to a City Council meeting to be recognized also.

**b. Council Committee Reports:**

Counselor Vendetti reported that the Dispatch Committee is very close to hiring an executive director.

Counselor Knisley reported that he had attended the Merchants Association meeting where he received a very warm welcome from the Merchants and John Miller. Mr. Knisley stated that one of the issues that had been brought up at the meeting was the current state of the lighting on Main St. Mr. Knisley continued



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by saying there were quite a few lights that were out and had been out for some time. City Manager, Mike Patterson stated the City staff is constantly reaching out to Black Hills Energy on that matter. Mr. Patterson continued by saying the City is not allowed to fix the lights and that Black Hills Energy will send a service truck out periodically and fix one light and leave. Mr. Patterson expressed he appreciates the Merchant's frustrations and states he feels the same frustrations with the matter.

Counselor Knisley stated the Merchants had expressed interest in seeing some ornamental lighting in the downtown historic district also. Mr. Knisley also stated the Merchants would very much like to see the sidewalk replacement project along Main St. get wrapped up.

Counselor Esquibel stated he would be attending his first regional water board meeting this week.

Counselor Allen stated the Florence Chamber of Commerce hosted a business after hours member appreciation event on December 12 with great attendance.

Counselor Wood stated at the Historic Preservation meeting they discussed pursuing a Historical context survey and the possibility of bringing in a consultant to assist with the survey. Mrs. Wood reported on several other meetings she attended.

**c. Other Council Comments:**

Counselor Villagrana stated the Pioneer Museum hosted an open house on December 13<sup>th</sup> with a model train exhibit. Mr. Villagrana continued by saying one hundred and nine people attended and donated two hundred and forty dollars to the museum. Mr. Villagrana also spoke about the museum's annual chili bowl fundraiser. Mr. Villagrana stated this fundraiser will be held on January 18<sup>th</sup>, 2020 and the proceeds will go to pointing the sandstone at the museum which will cost twenty-six thousand, six hundred and sixty-one dollars.

Counselor Wood stated she was able to volunteer to help wrap gifts presents with the children that participated in the shop with a cop program last week. Ms. Wood continued by saying what a wonderful and touching experience the program is.

**ATTORNEYS REPORT:** Mr. Krob stated that in 2016 when his law firm was hired to represent the City, they had told the Council that they would set aside as much time as needed to represent the City. Mr. Krob continued by saying starting January 6, 2020, he will be coming in for a minimum of four hours prior to Council meetings to meet with any City Staff, Council Members or Department Heads to discuss projects or any issues they may have. Mr. Krob wanted to make it very clear that the City is only billed for the



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actual time Mr. Krob works on City projects. So if he comes is before a Council meeting and there are no City projects to work on he will not bill the City for that time.

**DEPARTMENT HEAD REPORTS:**

**Police Department, Lt. Shane Prickett:** No Report

**Public Works Director, Martin Lancaster:** Mr. Lancaster reported the Public Works Department was working on snow removal and finishing up the year.

**Water Superintendent, Brandon Harris:** No Report

**Finance Officer, Lori Cobler:** Mrs. Cobler was happy to report on the sales tax numbers for November. Mrs. Cobler stated sales tax was up 12 percent and that November was the best record month for not only the year but also since the City started tracking sales tax numbers in 2010.

**Planning Director, Wade Broadhead:** No Report

**Interim City Clerk, Jessica Griffith:** No Report

**City Manager, Mike Patterson:** Mr. Patterson stated there had been a request to appoint a backup Council member to the Regional Water Board and Dispatch Committee and that he would be speaking to Mayor Upton in regards to making those appointments in the near future. Mr. Patterson also requested two executive sessions and asked the Council to invite the following staff members, the City Attorney, Interim City Clerk, Finance Officer, Police Chief, Water Superintendent, Public Works Forman, City Planning Director, and the City Manager.

**EXECUTIVE SESSION:**

1) 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. §24-6-402(4)(e); and

**MOTION:** On a motion by Councilor Villagrana and second by Councilor Vendetti, the City approved moving into Executive Session at 8:38 p.m.

**ROLL CALL VOTE: AYES**

Council Member	Villagrana
Council Member	Knisley
Council Member	Vendetti
Council Member	Wood



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Council Member	Esquibel
Council Member	Allen
Mayor	Upton

**There being no further business, Mayor Upton adjourned the meeting at 9:13 P.M.**

CITY OF FLORENCE, CO

BY:   
Richard Upton, Mayor

ATTEST:   
Jessica Griffith, Interim City Clerk