

CENTER TOWN BOARD
SPECIAL BOARD MEETING
DECEMBER 17, 2024
6:00 P.M.

The meeting was called to order at 6:05 pm by Mayor Gallegos.

Pledge of Allegiance

ROLL CALL

Mayor Gallegos	p
Mayor Beiriger	p
Trustee Lopez	p
Trustee Gonzales	p
Trustee Sanchez	p
Trustee Barela	p
Trustee McClure	p

A motion to go into the budget hearing and have the Town Attorney Michael Trujillo as the hearing officer was made by Mayor Pro-Tem Bieriger, seconded by Trustee Lopez. Roll Call –All in favor. Motion Carries.

Public hearing-

Attorney Trujillo explains that during this meeting the citizens can ask questions or anything concerning the 2025 budget. Paula Martinez was also able to help answer those questions. Town manager Cole goes through the budget packets and starts stating the amounts. Trustee McClure raised concerns about errors in the resolution, particularly regarding the separation of street improvement funds into two reported accounts. Trustee McClure also mentioned issues with accessing the town's budget, which he was told wasn't available despite it being a public record. Trustee McClure expressed concerns about rate increases, including the mil levy and utility rates, and questioned the rationale behind these hikes. Trustee McClure also pointed out that during workshops, his request to discuss employee salaries went unanswered, despite a proposed 12.5% pay increase in the 2025 budget. He highlighted the bookkeeper's salary of \$82,000, including a \$3000 travel fee, and suggested that the bookkeeper should oversee utilities.

Trustee McClure also raised an issue with billing errors, noting that the town pumped 231 million gallons of water but only billed for 115 million, pointing to significant accounting issues. Trustee McClure requested that the 2% utility rate increase not be approved.

Paula Martinez responded, explaining that the town's end-of-year fund balance was off by \$200,000 and that reports could not be provided on a daily basis due to government accounting regulations. Paula Martinez justified the rate increases as necessary to address inflation and maintain the town hall. Paula Martinez clarified that she does not set salaries and that future salary increases would be based on performance. She also noted that she consults with auditors for any questions.

Mona Garcia expressed the need to carefully monitor finances. Adaline Sanchez questioned the inclusion of additional items in the budget, to which Trustee Lopez explained that those funds came from ARPA, not taxpayer money, and had to be used within a specified time.

Mary McClure suggested pay should be based on qualifications, referencing an example of Anthony Lucero's pay being unfairly lower. Trustee McClure disagreed with some salaries, using the code enforcement officer's \$56,000 salary as an example, suggesting it might be better combined with the public works director's duties.

A motion to close the public hearing was made by Trustee Gonzalez, and seconded by Trustee Barela. Roll Call –All in favor. Motion Carries.

TRUSTEE ISSUES-

A motion to be more specific and move trustee issues regarding the presentation of charges to Trustee McClure up just above the approval of the agenda was made by Trustee Lopez, seconded by Trustee Gonzalez. Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes

Attorney Trujillo read a motion concerning the violation of Colorado Constitution Article XIII, Section 3 and C.R.S. Section 31-4-307, it is up to a Board member to make the motion regarding a hearing for the removal of Trustee McClure. The hearing was scheduled for January 28, 2025 at 6:00 p.m.. Further Attorney Trujillo read the procedures and possibility of a different course of actions against Mr. McClure. Attorney Trujillo read the charges against Trustee McClure that CIRSA has presented. Attorney Trujillo explains the amount of statutes broken with Trustee McClure using such behavior and discrimination against Code Enforcer Orlando Rascon concerning Hispanic ethnicity. Trustee McClure at a regular Board meeting on November 12th admitted to the use of the ethnic slur and continued to use the ethnic slur during the meeting. Attorney Trujillo read the process of removal if they vote to move forward. Trustee McClure explains that this incident didn't happen in a work environment, it happened in his home. Trustee McClure added that we should know the facts before moving forward. Saul Hurtado

comments that Trustee McClure is a board member inside town hall and out. That is his responsibility as a board member. A motion to proceed with the actions against Trustee McClure was made by Trustee Lopez, and seconded by Trustee Gonzalez. Roll Call Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes . Motion Carries

AGENDA – A motion to approve the agenda was made by Mayor Pro-Tem Beiriger, seconded by Trustee Lopez. Roll Call Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes. Motion Carries

APPROVAL OF THE 2025 BUDGET

ORDINANCE 574 - LEVYING PROPERTY TAXES - Trustee McClure said it has already been sent to the county commissioners. Town Manager Cole replied with, “No” not with the new and revised document. Town Manager Cole then moves on to reading the new and revised document. A motion to approve Ordinance 574 was made by Mayor Pro-Tem Bieriger, seconded by Trustee Sanchez. Roll Call –All in favor. Motion Carries.

ORDINANCE 575 - APPROPRIATING SUMS OF MONEY - Cole began to read Ordinance 575. Trustee McClure stated, “You're going to approve the appropriating sums of money before the franchise fees. What happens if the franchise fees don't pass?”. A motion to approve Ordinance 575 was made by Trustee Sanchez, seconded by Trustee Lopez. Roll Call Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes Trustee McClure said, “No, because we have a resolution coming up afterwards.”

RESOLUTION 20241210 - ADOPTING BUDGET AND APPROPRIATING SUM OF MONEY - Town Manager Cole began to read the adopting budget and appropriating sums of money.

A motion to adopt the budget appropriating the sum of money was made by Trustee Gonzalez, seconded by Trustee Barela. Roll Call Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes. Motion Carries. Trustee McClure voted no due to the fact that it was put before the resolution of franchise fees.

RESOLUTION 121024-A - LOAN FROM L&P - Attorney Trujillo read aloud the resolution 121024 loan from L&P. A motion to approve resolution 121024-A - loan from L&P was made by Trustee McClure, seconded by Mayor Pro-Tem Bieriger. Roll Call –All in favor. Motion Carries.

Trustee McClure asked for a discussion to discuss the additional cost to the utility users by 2%, he also questioned section 3 regarding the decreases in water funds. Mayor Pro-Tem Beiriger states that he doesn't recall them discussing the increase in the water rates. Trustee Lopez explains how in the previous budget meetings there have been discussions on how they can increase the ability of what they were bringing in. Alex mentioned how some people who live here work in warehouses and are going to wonder why they are going to have to pay more. This impact is going to affect this town more than we believe it is. Adaline Sanchez also speaks out saying how all the ordinances we just discussed are going to have an impact on everyone. And how the raises for the staff are going to have consequences on the people. The mill levy went up in the county and we are going to add to that. She believes the town board hasn't thought this budget through. Trustee McClure per his discussion earlier asks the board if they know what a fund balance is. Trustee McClure goes on and explains the meaning of fund balance. A motion to approve the resolution 121024 - franchise fees was made by Trustee Lopez, and seconded by Trustee Sanchez Roll Call Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-no, Trustee Sanchez-no.

QUOTES FOR TOWN HALL AND PHARMACY BUILDING REMODEL-

A motion to allow Cole and Attorney Trujillo on behalf of the town to draw up a contract to allow Cisco Construction to remodel the town hall and pharmacy building and to see if the contract with Vemco is still active to redo the lights in the town hall was made by Trustee Sanchez, and seconded by Trustee Lopez. Roll Call- All in favor. Motion Carries. Trustee McClure-no, Trustee Gonzales-yes, Trustee Barela-yes, Trustee Lopez-yes, Mayor Gallegos-yes, Mayor Pro-Tem Beiriger-yes, Trustee Sanchez-yes. Motion Carries.

DCI 2025 CONTRACT

A motion to approve the DCI contract was made by Trustee Lopez, and seconded by Trustee Sanchez. Roll Call- All in favor. Motion Carries.

PAUL BENEDETTI 2025 LEGAL SERVICE FOR URA CONTRACT

A motion to table the Paul Benedetti 2025 legal service for a contract until the next board meeting was made by Trustee Sanchez, and seconded by Trustee Barela. Roll Call- All in favor. Motion Carries.

CIVICSTRUCT PROJECT MANAGEMENT OF NORTH 90 CONTRACT

A motion to approve the Civicstruct project management of the North 90 contract was made by the Mayor Pro-Tem Beiriger, and seconded by Trustee McClure. Roll Call- All in favor. Motion Carries.

ADJOURNMENT

A motion to adjourn the meeting was made by the Trustee Barela, seconded by Mayor Pro-Tem Beirige.

Roll Call –All in favor. Motion Carries.

Submitted by,

Alexis Varela
Utility/Court Clerk

Daniel Gallegos
Mayor