

TOWN OF SUGAR CITY
REGULAR MEETING MINUTES
06/17/2020

CALL TO ORDER: 6:55 pm by Mayor Nathanael Dinsmore

PLEDGE OF ALLEGIANCE: Led by Mayor Nathanael Dinsmore

ROLL CALL: Present- Dinsmore, Massey, Schiro, Willis, Roberts, Thibault

Willis: Spoke to Steve Kimler regarding his past due bill. He explained the situation happening with his family. Due to his family's situation is the council ok if we wave his disconnect till next week. He will be in with a payment then. Discussion over disconnects. Decision made that Steve Kimler disconnect will be placed on hold till next week.

MINUTES: Motion to approve minutes dated 06/03/2020 made by Willis, 2nd by Roberts, motion carried.

Executive Session: For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. **7:01 pm Motion** to go into Executive Session made by Willis, 2nd by Roberts, motion carried.

RESUME: 7:07 pm by Mayor Nathanael Dinsmore

REPORTS:

Davida: Kyle Logan: Does the Town want him to do Audit for 2021? Discussion over Logan and Associates doing our Audit/Exemption. Decision made that Logan and Associates will do our audit.

Pride City final price will be \$9,720.00 to replace our Awnings. We are still needing to replace one piece of siding. Discussion over price of awnings. Decision made to go ahead and have Pride City redo the awnings. Discussion over replacing single piece of siding. Decision made that Trustee Thibault will get a siding company and contact Davida with the information.

Jonathon Fox at Fowler State Bank: The tanks are still in at their building. They are looking to sell waiting to hear from the state to make sure everything is legal.

CIRSA: We did get the motion to dismiss the Medina case on 6/18/2020. Discussion over the Council members coming into town hall and reviewing the case to familiarize themselves with it. Decision made that they would over the next couple of months.

Softline Data: This is for the town to utilize debit/credit machines. No discussion. No decision.

Dawndi Brewer was not sure on changing her bill. Discussion over her billing. Decision made to change her 2 yd dumpster to a tote.

Pre/Post Trips: John turned in his pre-trip and he noted that the front steer tire has a large gash in it. Discussion over truck tires. Decision made to get a new tire put on right away.

The employees would like to have a cookout. Discussion over having a cookout with the employees. Decision made to have a date set and notify council of when it is, so they can attend.

Terry Short requests a vacation day for June 26, 2020. Discussion over number of days prior to notice. Decision made the vacation day is approved.

Water Licensing: Nick Blanco get water license. Chuck Goin with CRW is willing to come down and assist in teaching him.

Cindy Reed received a ticket for a dog at large. She stated that Mike hunted her down to deliver the ticket. Discussion over dogs at large. Decision made that her dog was running loose she needs to still pay the ticket.

Karen Riemenschneider: Customer upset about her account. She is saying that she was billed \$92.50 for 4 days of service; if you look at her bill, she was billed for May and June service, no more. Account history provided. Discussion over account. Decision made that the bill is correct.

OLD BUSINESS:

Ordinance 321: 2nd reading: **Motion** to forego second reading of Ordinance 321 made by Willis, 2nd by Schiro, motion carried.

Motion to accept Ordinance 321 made by Willis, 2nd by Schiro, motion carried.

NEW BUSINESS:

Tracy Reece/Chelsea Minjarez: Tracy began talking. *Davida*: Tracy could you move up so the recorder can catch what you are saying? Tracy moved up.

1st: City Ordinance, public notice in newspaper, end of article passed, adopted, and published this 16th day of June, by Mayor Betty Bruch. And it states it is attested by Davida Moreland. *Davida*:

I did not send that information they just put it in. *Tracy*: This is going to show a pattern within the county. *Willis*: You can't say county because we don't deal in the county. *Tracy*: I leave in the county of Crowley. I can say county. My problems extend to the county. That is in direct correlation to the charges I am filing. *Willis*: What charges are you talking about? *Tracy*:

Charges that should have been filed. You are not being charged with anything at this time. My hope here is to get you guys to do the right thing. *Roberts*: What did we do wrong? *Tracy*: I am going to go into that. *Willis*: You have 5 minutes. *Tracy*: I have until the problem is resolved. That was not the rule when I was on the council. Could you show me? You can not enforce the rules unequally. *Dinsmore*: Could you please continue with what you were saying? *Tracy*: This is real quick. Letter for Joe; gave a copy to you. I have a restraining order so I can not give it to him. I would like the city to deliver it to him. *Dinsmore*: She is asking the Town Marshall to do it, and that is something I can do. *Tracy*: This is what I mean. I come to you to try and resolve issues, and I get conflict or statements that are not true.

The last thing, unrelated to this. I need transcripts of the court dates that I have attended.

Transcripts not minute orders. You guys have them? *Dinsmore*: We have audio copies correct?

Willis: Yes, we do. *Dinsmore*: We should be able to get you an audio transcript. *Thibault*: What do you need them for? *Tracy*: For my records, because the city has threatened to throw me in jail or violated on a court order that does not exist. *Dinsmore*: What are you speaking of exactly?

Tracy: I am speaking of the dogs being moved. *Dinsmore*: That was a court order by our judge.

Tracy: It wasn't a court order; it was an order to avoid. We never came back to court; the order was never finalized. He said to avoid the ticket for my dog barking, if I moved them, there wouldn't be a ticket issued. The next court date I came, and the ticket was squashed because Joe didn't show up. I got permission from Joe to move my dog run temporarily. It hasn't gotten

moved back because the construction. Joe's fence is falling onto my property. *Dinsmore*: I will address and deliver the letter. *Willis*: Do you have something stating that he rescinded that, having the dog pen there? He told me he never gave you permission. *Tracy*: No, he gave me verbal but there were witnesses. *Willis*: Do you have your witnesses? *Tracy*: Here? No. *Willis*: I spoke to Joe about it, he said that he never gave you permission. *Tracy*: A lot of my problem is not with the city, let me explain that clearly. My problem is that this man is very manipulative, manipulates the situation to cause problems between me and the city. It needs to stop because you guys are allowing him to continue. It has been brought to your attention; you should take care of it like you are supposed to. *Willis*: What are we supposed to do? *Tracy*: The report that Mike filled out on the dog bite, it wasn't about filled out properly. *Willis*: I was asking about Joe. *Tracy*: This is about discrimination. *Dinsmore*: If you think we are discriminating against you we could go back and forth all day. If you believe that you have something enough against us. *Tracy*: I do, and I have provided you with that information and that is what I am trying to discuss. I keep getting shot down by Joan. *Willis*: All I am trying to do is ask a question. We are talking about Joe Rawski and how we discriminate. And then you switch to a whole different topic. *Tracy*: It is all related. You guys are discriminating against me in his favor. *Dinsmore*: How? *Willis*: No. *Tracy*: Unproper forms being filled out, that make it look... Pictures taken of my property without my knowledge, when I was not home. Pictures taken to disprove my story and get me in trouble for making a false report. *Dinsmore*: If that is what you have, then that is your opinion. If you would like to take it to an attorney... *Tracy*: That is what I have, it is not my opinion. I have it in black and white; the report was not filled out. You even admitted that you would address. The top two parts, where I received injury and first aid were not marked. However, it is marked that I had an incident. Clearly trying to cover up. *Dinsmore*: I marked that because it was an incident. *Tracy*: I would get him trained to properly fill out the paperwork. *Dinsmore*: That doesn't make any sense. Please continue to the next thing. *Tracy*: That makes plenty of sense. *Thibault*: Why can't you and your neighbor get along? *Tracy*: He invited me into his home to stay. Me and my son, sorry this is very emotional. *Willis*: That is not pertinent. *Dinsmore*: Can we stick to the subject? *Tracy*: He asked the question; I am going to answer the question. My house had a water leak that turned into a black mold problem. My son works in Colorado Springs, so I sent him up there. But we have four dogs that can't be left alone, so I stayed down here sleeping in my car. My neighbors come to me and says he feels bad. Wants me to not be sleeping in my car. I denied him staying there because I didn't feel comfortable staying there. *Thibault*: This has been an ongoing problem? *Tracy*: This is an ongoing problem. What really started it, during the time I was staying with him. I have a restraining order against him. He sexually harassed me and then threatened me when I wouldn't comply with his demands. I have a restraining order in place. He is allowed to continually harass me; the cops have been called. I moved to this town, you city council. Your former Mayor spearheaded a movement to illegally have me removed off the city council for a ticket I received for disturbing the peace. Eric Roberts wrote me a letter for that incident. *Roberts*: I would like to see that. *Tracy*: The courts have it. Get the courts to get it for you. *Roberts*: You are using me I would like to know what it says. *Dinsmore*: Tracy please continue. *Tracy*: It is an ongoing thing that has been a history of harassment. There has been multiple refusal by the police, to take a report, not when I call them. In this latest incident; the dog catcher and the Mayor, have refused to follow the same

standards that were enforced upon my son when his dog bit somebody on our property. The big difference in the two scenarios is my dog had his rabies shots. Joe's dog doesn't; the city allowed the dog to be registered without proof of vaccination. *Willis*: They also let you register yours without verification. *Tracy*: They have verification, I looked it up with Davida, they have the date of the shot. I looked it up with Davida. *Willis*: For all of them Davida? *Davida*: All I have is the date she registered them and date our tag expired. Not the date of the rabies, it is the date our tag expires. *Tracy*: Dawndi was responsible, Dawndi took the registration of the dogs. Dawndi was responsible for marking down the paperwork. Elvis got his shots the day prior to me registering him. *Willis*: Do you have proof of that? *Tracy*: I can't find my proof, but I am working on getting it. *Willis*: It is really important that we get that! *Tracy*: I know that if I can't find it. I am going to take my dogs and go get there shots again regardless if they need it. *Dinsmore*: Well they will just give you a copy of their record. *Tracy*: When I went to get my dogs their shots. I paid for the city to do one of the dogs' shots. The clinic closed early; it was slow; the vet closed early. I had to scramble around and in between doctor's appointments find places to take my dogs. I called one of the places, I know I took one of them there, but they couldn't find the record. *Willis*: Where did you take them? *Tracy*: I took Rosey, I thought, to TLC. Due to the shape of my house, everything in my house is packed into one room. In my physical condition I cannot dig through and find the records. *Willis*: TLC couldn't provide you a copy? *Tracy*: They couldn't find Rosey's records. I don't know if it was one of the other dogs that I took there but I am working on it. I will have their shots, either I will provide you with the original shot records or new shot records within two weeks. *Willis*: The point I am trying to make; you are yelling discrimination. Yet we sold you tags without proof just like him. *Tracy*: I am fully here admitting that. I am not trying to hide it. You were wrong in selling me the tags too. However, your city vet clinic which delayed people in being able to get the shots. *Willis*: It shouldn't have because the vets still gave shots. *Tracy*: That is where my problem came in with that. I am perfectly aware I need to get my dog shots if you don't have them. *Thibault*: We gave you a 30-day extension because of the COVID to get the shots. *Tracy*: This is what I want to point out. When my son's dog in our yard with his shots bit somebody on our property. A ticket was issued for owning a dangerous dog. Dog license were current, and shots were current on my dog. *Willis*: What happened with that case? *Tracy*: Nothing. Except my dogs were quarantined. This is where my concern comes in, my dog was isolated on my property. The dog had his shots, I agreed to the isolation to not have an issue. He was isolated on my property not allowed around us or my other animals, that was the rule or any other people. *Dinsmore*: Rules according to who? *Tracy*: Rules according to the Humane Society the ones who came out and isolated him. *Dinsmore*: Well the Health Department oversees that and that is not what the Health Department rules are. *Tracy*: We will get into the rules of that. *Dinsmore*: The rules are non-distinctable on that, without contest. *Tracy*: I printed out some of the rules. *Dinsmore*: That is interpretation and we are not going into that subject. We have had discussions about this before, I told you we followed the Health Department rules, they make the standards... *Tracy*: The dog is not in isolation. *Dinsmore*: Yes. It is. We are not having that discussion. *Tracy*: I have video and pictures to prove it. *Dinsmore*: The Health Department says that the situation that the dog was in, being restrained out in the back yard inaccessible by anyone else. *Tracy*: I am not talking about that time. I am talking about Sunday when I messaged you. I am talking about pictures of all the

people coming to the house. *Dinsmore*: That is ok. *Tracy*: I am talking about this lady right here, who I brought with me today. Who was in the house with the dog, not related to Joe, the dog was not in isolation. *Dinsmore*: The Health Department says that's ok, then that is on the homeowner to take it upon himself and to risk that type of situation. *Tracy*: Show me the rules where the Health Department says that. You say a lot of things. *Dinsmore*: Here take this number down. Contact Su Korbitz at the Health Department. *Tracy*: Hold on. In the reports filled out by Mike and Davida. In the reports, failure to record accurate information, Mike said. Davida reported that Mike contacted Crowley County Health Department; they stated the rabies shots will not be administered to a person till 10 days after bitten and the dog has shown signs of rabies. Mike went and checked on Dappers stated he looked fine, healthy and happy. However, my personal hospital records, which you all have a copy of. I got bit by a dog. *Willis*: How many shots have you had? *Tracy*: I had 14 shots the first time. *Willis*: They don't 14 shots. *Tracy*: They do. This is the way it goes. One needle filled with solution, out of that one needle they gave me 5 shots around this wound, 5 shots around this wound, and one shot in this arm. Then two more needles, two additional shots in this arm. Three actual shots given over 14 injections. It even says, this paperwork is from the CDC provided to me by the hospital. A person who is exposed and never vaccinated against rabies, will get four doses of a rabies vaccine. One dose right away, an additional dose on the third, seventh, and 14th days, that is the protocol for rabies vaccination, when you have been bit by a dog that has not had shots. The dog has not been tested, the only way to test a dog for rabies is to put it down; and I don't want the dog to be put down. It is not about punishing the dog, it is about making the owner responsible for his behavior, the same way that I was held responsible. *Willis*: If you read this paper which you have your name at the top. It says dose one is three, you get three doses. *Tracy*: That is if you are working in the field, that is not for somebody who was bitten by a dog. *Willis*: It says the same thing. Four doses of the vaccine, one dose right away. Additional doses on the third, seventh and 14th days. *Tracy*: Four dose, this is a three-dose schedule. It is for a different thing. *Willis*: I am reading the four-dose schedule. They said there was absolutely no way that they give you fourteen shots anymore. *Tracy*: You are wrong. Technically it was three shots. The first shot, they did 10 injections. They have to go all the way around the wound with the medication. The second shot, sorry I said 10, 5 injections around the wound, out of the same needle, five injections around this wound. Out of that same needle that they injected the first five; there was some left in there, they took that, and they injected it in my right arm. Then they had two more needles; so, it was three shots given in a series of 14 pokes. *Willis*: Three shots sounds a little different than 14. *Tracy*: 14 pokes and that is what I said. *Willis*: When I called and asked them about that at the hospital, not mentioning anybody's name. Just asking their protocol, they were laughing at me Tracy. *Tracy*: That's ok. *Dinsmore*: Please we are going to wrap this up. We are done please. *Tracy*: No. This is what I mean; this is the whole thing. Instead of listening to reasonableness and listening, you guys instead of doing your job, you are fighting me every step of the way. *Dinsmore*: No, we are done with the conversation, go and get an attorney if you have to. We are moving on. *Tracy*: I can sue you guys in small claims court. That is what to avoid. *Thibault*: For a dog biting you? *Tracy*: No, for discrimination and harassment. *Willis*: We just gave you 20 minutes longer than anyone else. How is that discrimination? *Tracy*: I can order minutes that shows that is not the case. *Dinsmore*: Tracy we are done for now. If there is

something else you can bring up the next thing. *Tracy*: I can bring it up at public comment too. *Davida*: You only get three minutes at public comment.

Anthony Mora:

Thank you for taking time to listen to me.

Having an issue with neighbor and their animals. Spoke with Nate, Town Marshall also spoke with Code Enforcement, Mike stated he couldn't do anything for me. Spoke with Davida in the office about same issue. She also stated that Code Enforcement could not do anything right now.

Davida: He is inquiring about a cat ordinance. The town does not have one for cats. *Mora*: What can I do about the cats? Cat owners should have the same standard as dog owners. Don't want to have a civil suit, could you please help with this situation, should be a level playing field.

Discussion over cat ordinances. Decision made that Mike (Code Enforcement) will look into and begin communications with Mr. Mora neighbor.

CARES ACT: Read aloud by Davida

8:05 pm Trustee Hjar arrived.

Discussion over Cares Act. Decision made.

Motion to accept Cares Act made by Willis, 2nd by Hjar, motion carried.

BILLS: Motion to pay bills in the amount of \$8,729.67 made by Willis, 2nd by Thibault, motion carried.

Report:

Nick: Mosquito Sprayer still at Fuller. No one in United States sells the parts needed; can only get from China. Discussion over mosquito sprayer. Decision made that Trustee Roberts will look into a new carburetor.

There are no electric tools in the shop. Discussion over the previous tools and batteries for them. Decision made that Nick could get some prices and a phone poll would be done for him to purchase for the shop.

Motion for Nick to get quotes and do a phone poll made by Willis, 2nd by Schiro, motion carried. There are three outlets in the shop that do not work. Discussion over which outlets do not work. Discussion over if they are needed. Decision made that Nick could get an electrician to fix them and make usable.

Willis: Tracy do you have a record of the rabies shots that you got? *Tracy*: Yes. *Willis*: Could you get us one? *Tracy*: Yes. This is what they gave me. Saturday, I go for my third shot, they are supposed to have that information for me. I will get that to you as soon as possible.

Nick Report Cont.

Motion to get the lights fixed in shop made by Roberts, motion died.

Davida inquired about continuing motion.

Motion to get the lights fixed in the shop made by Roberts, 2nd Hjar, motion carried.

Water License: Previous council only one of them wanted me to work towards the licensing.

Discussion over Nick getting water licensing. Decision made that Nick would work towards water licensing. Discussion over wastewater monitoring. No decision made.

Mike: Ledell Coleman's dog, running at large, he is to be gone in 12 days. Do we write a ticket? Discussion over what to do about Coleman's dogs. Decision made to remove dogs from the town, they are not registered.

Davida: Nick has been doing deliveries for the trash. I have an issue with that, there are two employed for the town and seven for the trash. Why is he having to be pulled off of his job to help with theirs? *Willis*: I was not happy about that either. *Nick*: Ken and I was talking about it, Ken stated that he was having difficulty getting deliveries done. *Dinsmore*: Are they here in town? *Nick*: Today I had to go to La Junta. *Dinsmore*: Has it taken any work away from you? Further discussion over Nick continuing to deliver and do running for trash. Discussion over who does pre-trips. Decision made that Mayor Dinsmore would be here in the morning to ensure pre-trips.

TRUSTEE COMMENT:

Hijar: No Comment

Thibault: No Comment

Roberts: No Comment

Dinsmore: How many bulbs do we have left to put in? Where are the big outside lights? Discussion over which ones need replaced. Decision made to finish replacing the bulbs. Manhole by Dean's is collapsing again. Question: Dig that up and switch it with the one out at the well house? Discussion over switching manhole covers.

Hijar: Did we ever pick up Dawndi's dumpster? *Davida*: When I spoke to her she wanted to go over finances and the council stated that they wanted the dumpster picked up and replaced with a tote.

What about Hopkins? It says there is a dumpster but there isn't one. Discussion over totes and dumpsters.

Willis: Mess with the dogs. I really want to commend Mike for sticking with it and trying to do the best he can. *Dinsmore*: Thank you Mike. *Willis*: I have had a lot of positive comments from other people in the town other than the ones that are complaining right now. How good it is to see somebody who gives a damn about Sugar City. A big Thank You from the Town and Me.

Schiro: No Comment

Massey: See about getting a cat ordinance added to the agenda. Discussion over creating an ordinance. Decision made that we will look into creating an ordinance for cats.

Davida: Have one more thing. I was a little hurt by Larry earlier today. He came into the office and I recommended him using the route sheets and he told me to shut up. Discussion over what happened. Decision made that should not have happened. *Davida* asks to have a little respect shown to her.

Nick: Empty lots. What can we do about them? *Willis*: Mow them and assess to their taxes.

PUBLIC COMMENT:

Tony Moreland: Glad she brought it up. I don't tell her to shut up, she asked me to stay quiet when Larry came in. I just wanted to thank you Nate for taking care of it. That is down grading her. *Dinsmore*: I apologize for that.

ADJOURN: Motion to adjourn at 8:45 pm made by Willis, 2nd by Roberts, motion carried.

Mayor

Clerk