

CITY COUNCIL  
CITY OF WRAY, COLORADO  
AUGUST 23, 2021

The board of council met in Regular Session on August 23, 2021, at 7:30 p.m.

Mayor	Robert Kraus	
Mayor Pro tem	Chad Deyle	
Council Members	Jennifer Jones	
	Greg Jones	
	Ben Gardner	
	Brad Rockwell	<b>Absent</b>
	Nicole Smith	
City Manager	James DePue	
City Clerk	Emily Ellis	
City Attorney	Alvin Wall	

**CALL TO ORDER**

**Pledge of Allegiance**

Mayor Robert Kraus called the meeting to order and the Pledge of Allegiance was recited.

**Roll Call**

City Clerk Emily Ellis conducted Roll Call. Council member Brad Rockwell was absent.

**EXECUTIVE SESSION**

At 7:37 P.M., Mayor Robert Kraus made a motion to go into Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). The motion was seconded and passed unanimously.

The regular session reconvened and Mayor Robert Kraus announced “the time is now 8:04 P.M. and the Executive Session has been concluded. The participants in the Executive Session were City Attorney Alvin Wall, Mayor Robert Kraus, Mayor Pro tem Chad Deyle, Council member Ben Gardner, Council member Greg Jones, Council member Nicole Smith, Council member Jennifer Jones, City Manager James DePue, and City Clerk/Treasurer Emily Ellis. For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matter not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is Adoption of Agenda.”

**ADDITION TO AND ADOPTION OF AGENDA**

Council member Greg Jones made a motion to add Resolution 10-2021 and Resolution 11-2021 to the agenda. The motion was seconded and passed unanimously. Mayor Pro tem Chad Deyle made a motion to adopt the August 23, 2021 Council Meeting Agenda as amended. The motion was seconded and passed unanimously.

**APPROVAL OF MINUTES**

Council member Greg Jones made a motion to approve the July 13, 2021 Council Meeting Minutes. The motion was seconded and passed with five supporting votes. Council member Nicole Smith abstained from the vote.

### **PRESENTATIONS**

Scott Szabo – Lauer, Szabo & Associates P.C. 2020 Audit Report

Scott Szabo with Lauer, Szabo & Associates P.C., presented the Council with an overview of the City of Wray 2020 Audit Report. The Council was informed that there were no items of concern.

### **CITIZEN PARTICIPATION**

There were no Citizen Participation comments.

### **CONSENT AGENDA**

Council member Greg Jones made a motion to approve the Consent Agenda consisting of: State of Colorado – Request for Extension of Time to File Audit for 2020; Airport Hangar Lease #31 – Brad Rockwell; and Airport Rescue Grant Offer, Grant No 3-08-0055-021-2021. The motion was seconded and passed unanimously.

### **NEW BUSINESS**

#### **Hartford Fire Insurance Company – Fire Hall Flood Insurance Policy Renewal**

City Clerk/Treasurer Emily Ellis explained the Hartford Fire Hall Flood Insurance quote and recommended approval from the Council. Mayor Pro tem Chad Deyle made a motion to approve the Hartford Fire Insurance Company-Fire Hall Flood Insurance Policy renewal quote in the amount of \$15,855.00. The motion was seconded and passed unanimously.

#### **Resolution 9-2021 – Participate in Coordinated Election**

City Clerk/Treasurer Emily Ellis explained that Resolution 9-2021 was a requirement from the Yuma County Clerk to participate in the November 2, 2021 Election and would allow the City of Wray to place candidates and questions on the election ballot. Council member Greg Jones made a motion to approve Resolution 9-2021 Approving the Intergovernmental Agreement Concerning Election Services for a Coordinated Election on November 2, 2021. The motion was seconded and passed unanimously.

#### **Ordinance #626 – Amendment Trespass**

City Manager James DePue explained that the amendment would add Section 9.28.130 Trespass on Private Property to the existing Wray Municipal Code, Title 9, Chapter 9.28 Offenses Against Property. Council member Greg Jones made a motion to dispense with the full reading of Ordinance #626. The motion was seconded and passed unanimously. Mayor Pro tem Chad Deyle made a motion to approve Ordinance #626 – Amendment Trespass. The motion was seconded and passed unanimously.

#### **Ordinance #627 – Trejo Trucking RE Sale**

Mayor Pro tem Chad Deyle made a motion to dispense with the full reading of Ordinance #627. The motion was seconded and passed unanimously. Mayor Pro tem Chad Deyle made a motion to approve Ordinance #627 authorizing the sale of Lot 12 in the Wray East Industrial Park to Trejo Trucking, LLC in the amount of \$50,000.00. The motion was seconded and passed unanimously.

**NEW BUSINESS Continued**

**Contract to Buy Lot 4A, Wray East Industrial Park**

City Manager James DePue explained that a counter offer in the amount of \$50,000.00 had been received from Cesar Mendoza for the purchase of Lot 4A in Wray East Industrial Park. Council member Greg Jones made a motion to accept the offer from Cesar Mendoza in the amount of \$50,000.00 for the purchase of Lot 4A, Wray East Industrial Park. The motion was seconded and passed unanimously. An ordinance authorizing the sale of the property will be presented during the September 2021 Council Meeting.

**Resolution 10-2021-Marijuana and Excise Tax**

City Manager James DePue explained that Resolution 10-2021 includes language for the ballot in November regarding the operation of marijuana products manufacturing and a proposed levy of a marijuana excise tax and that it does not permit any retail sale of marijuana in the City of Wray. Council member Greg Jones made a motion to dispense with the full reading of Resolution 10-2021. The motion was seconded and passed unanimously. Mayor Pro tem Chad Deyle made a motion to approve Resolution 10-21 Setting Ballot Title for Coordinated Election. The motion was seconded and passed unanimously.

**Resolution 11-2021 – Main Street Improvement Grant**

City Manager James DePue explained the Colorado Department of Local Affairs Main Street Business Improvement Grant Program. The Council was informed that the grant request in the amount of \$86,653.56 would require twenty percent in matching funds. Council member Ben Gardner made a motion to approve Resolution 11-2021 in Support of the Grant Application for a Main Street: Open for Business Grant to Provide Incentive Programs for Local Business Owner to Improve the Energy Efficiency and/or Aesthetics of Commercial Buildings within the Wray Downtown. The motion was seconded and passed unanimously.

**REPORTS**

**City Manager's Report**

City Manager James DePue presented the monthly written Manager's Report. The Council was informed that closing on the Buchanan Middle School Property was scheduled for August 30, 2021. The Council was advised that the City of Wray had received a Rural Economic Development Initiative Grant in the amount of \$186,246.00 for utility expansion and curb and gutter repairs in the East Industrial Park. The Council discussed the 2022 budget, boiler replacement at the Wray Aquatic Center, and sidewalk and bridge repairs.

**Finance Report**

City Clerk Emily Ellis presented the monthly Finance Report for review.

**Approval of Bills**

Council member Greg Jones made a motion to approve the Accounts Payable Report in the amount of \$887,514.35. The motion was seconded and passed unanimously.

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**CITY COUNCIL COMMITTEE REPORTS**

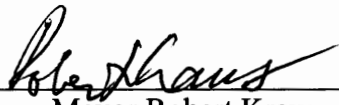
Council member Jennifer Jones presented an update on the Yuma County Landfill.

**INFORMATION ONLY**


There were no Information Only items.

**ADJOURNMENT**

Meeting adjourned at 9:15 P.M.

  
\_\_\_\_\_  
Mayor Robert Kraus

ATTEST

  
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City Clerk Emily J. Ellis