



**MINUTES REGULAR MEETING
CITY COUNCIL CHAMBERS
125 E. 3rd Street**

Salida, Colorado

February 2, 2010

6:00 p.m.

The meeting was called to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE –

Led by Mayor Chuck Rose.

ROLL CALL -

Present at roll call were Mayor Chuck Rose, Council Members Keith Baker, Scott Damman, Jim McCormick, Jay Moore, and Steven Stewart. Also present were City Administrator Jack Lewis, City Clerk Betty Schwitzer, City Treasurer Eileen Rogers, Deputy City Clerk Janella Martinez, and City Attorney Cassia Furman.

Council Member Tom Yerkey was absent.

CITIZEN PARTICIPATION -

No one signed to speak.

PRESENTATIONS –

- Proclamation supporting Public Radio

Mayor Rose proclaimed February 2010 Community Radio Awareness month in the City of Salida. KHEN is thankful to have Mayor Rose take the time to address community issues on the radio.

- Proclamation recognizing Friends of the SteamPlant

Our SteamPlant was initially the first way Salida generated electricity. When that operation ceased the building was then a warehouse. There was a board of 40 interested citizens donated \$1000 each to create the SteamPlant Board who's goal was to bring theater to our community and now we have a wonderful event center. The Friends of the SteamPlant provides grants to local nonprofit agencies to make the center affordable to hold events. Mayor Rose proclaimed Friends of the SteamPlant a valuable part of our community.

Scott Adams on behalf of Friends of the SteamPlant said "The Friends" are honored and humbled to receive this recognition. The Friends are very passionate about the location and are honored to work with Michael Varnum, SteamPlant Director and the other City staff. The Friends enjoy their duties serving on this board. They acknowledged none of this could have been done without the support of the community, and the generous volunteers of the community. Mr. Adams expressed thanks to the

Mayor and this City Council for recognizing the efforts of the Friends.

- Fairgrounds planning and associated GOCO grant presentation by Bob Christiansen and Dave Potts

Bob Christiansen Chaffee County Administrator thanked Council for hearing this overview this evening. Christiansen has been County Administrator for three years now. He found that one of the pieces he is responsible for is the Chaffee County Fairgrounds facility. There are a lot of dedicated people already involved at the Fairgrounds that would like to see the totality of that site and how to better utilize the entire grounds. Chaffee County has applied for a GOCO grant to look into planning for expansion at the Fairgrounds. Accompanying Mr. Christiansen were Dave Potts of the Chaffee County Fair Board and Chaffee County Commissioner Frank Holman. They are both in support of this project. The County has brought in Axel Bishop, a Landscaping Architect who has experience with grants to assist with the planning for future expansion at the Fairgrounds.

Axel Bishop, Landscape Architect spoke next. He has designed public parks in Wyoming and Colorado. He was originally called to look at the bleachers at the Fairgrounds, but when talking to the Fair Board asked what their vision was for the facility. Bishop says the location is between two communities and is already a destination for events. He wants to look at what the community envisions for potential uses at the Fairgrounds. Parks uses are changing with time. Many park facilities include large playgrounds, with climbing walls, BMX tracks, skateboarding, etc. A meeting is scheduled at the Fairgrounds on Tuesday at 7:00 requesting public input about what the community envisions at the Fairgrounds. Currently Monte Vista is involved in this same process. As the County proceeds with this grant they will be requesting a letter of support from the City .

Mayor Rose thanked this committee for bringing this information to the City.

- Salida Dog Club presentation by Laura Pintane

Laura Pintane gave a PowerPoint overview of the dog park from the start to the present. This is the second time presenting to Council, and they are here to thank Council and the City for their support for the Loyal Dukes Dog Park. It has become a big asset to the community. Club members are getting great feedback and the dog park is constantly used and one of the most commonly used parks in Chaffee County. There has been a lot of in-kind work and many volunteers that helped bring the park to where it is today. The first step was finding a location. The Holman location was made possible by the City and the School District working together. About 40 dog club members have volunteered with bringing the park to where it is today. Jim Smith helped with excavation which was greatly appreciated. The correctional facility trustees and even Crest Academy students came and helped shovel rocks. There have been generous donation of benches and others are purchasing name plaques for the benches. The club held numerous bake sales, soup kit sales, and T-shirt sales to help fund the park including fencing and signage, etc. Finally the park was done and named Loyal Duke Dog Park and held a formal grand opening on November 29, 2009. The gate is called a bull pen which is a double gate to help control accidental escapes. There are shake cans available to help control aggression, if needed. Tomorrow Ms. Pintane is scheduled to speak on KHEN about the dog park. She thanked Council for their support in bringing the Loyal Duke Dog Park to the community.

SCHEDULED ITEMS-

1. Consent Agenda
 - a. Approval of Agenda
 - b. Minutes: Minutes January 19, 2010

c. Special Event Liquor Permit by Salida Elks Lodge #808

Deputy City Clerk Janella Martinez presented information that is included in the packet for the record. BPOE Elks Lodge, Inc. has submitted an application for a Special Events Liquor Permit to sell Malt, Vinous & Spirituous Liquor for consumption on the premises in the Elks Lodge, 148 E. 2nd Street. The request is to hold the annual Sweetheart Ball on Saturday, February 13, 2010 from 5:00 p.m. to 1:00 a.m.

The Elks Lodge currently holds a Club Liquor License, which according to C.R.S. 12-47-416 allows liquor sales to be sold by the drink to members of the club and guests and only for consumption on the premises of such club. When the Elks Lodge holds an event that is open to the public they are required to apply for a Special Events Liquor Permit.

The property was posted on Monday, January 11, 2010. Colorado State Statute 12-47-106 2(a) requires the public posting be noticed 10 days prior to approving an application for a Special Events Liquor Permit. The law also states that a public hearing is required if any protests have been filed within the ten day period of notice. To date no protests have been filed.

The attached map defines the liquor premises as the entire downstairs area of the Elks Lodge. (The Elk's Lodge Club liquor license was approved to include the outdoor area with the condition that this outdoor area is used for members and guests only and is not used for a public event.) Staff recommends combining and approving the items on the consent agenda.

A motion was made by Damman to remove item 5. Appointing a Special City Prosecutor – Resolution 2010- 07 appointing Dale Enck as Special Municipal Prosecutor for Salida Municipal Court Case # 17209, and to combine and approve the items on the consent agenda. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Mobile Communications Devices –

Ordinance 2010 – 01 amending Section 8-1-20 of the Salida Municipal Code, amendments to the Model traffic Code, to add regulation of the use of Mobile Communications Devices.

Attorney Furman presented this ordinance to Council. In 2009 the Colorado State Legislators banned cell phone use by drivers under 18 and with this texting while driving was banned state wide. Council approval of this ordinance will allow these offences to be heard in Municipal Court.

A motion was made by Damman to approve ORDINANCE 2010 – 01 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, AMENDING SECTION 8-1-20 OF THE SALIDA MUNICIPAL CODE, AMENDMENTS TO THE MODEL TRAFFIC CODE, TO ADD REGULATIONS FOR THE USE OF MOBILE COMMUNICATIONS DEVICES. The motion was seconded by Stewart. With all in consensus, THE MOTION CARRIED.

3. If and When Water Storage agreement – (Jack Lewis)

Resolution 2010 - 05 Authorizing the City Administrator to negotiate and execute a Temporary Water Storage Contract with The Southeastern Colorado Water Conservancy District and The US Bureau of Reclamation for If and When Storage Space in The Fryingpan-Arkansas Project.

City Administrator Jack Lewis presented written information that is included in the packet for the record. Enclosed is a resolution authorizing the City Administrator to execute Temporary Water

Storage Contract No. 10XX6C0024 – City of Salida-Fryingpan-Arkansas Project, Colorado. We have maintained a contract for 425 acre feet for a number of years before 2007. This contract was increased to 625 acre feet for additional storage needed to increase Tennessee Ditch Water associated with the Vandaveer property. Since that time the City has entered into a lease agreement for up to 200 acre feet of water per year “as available” through 2012 with the Colorado Water Protective and Development Association for \$18.50 per acre foot plus the cost charged by the South eastern Water Conservation District to store it, or about \$25/acre foot.

During the morning work session a budget discussion was had regarding sales tax revenue and needed cuts if sales tax revenue continues to drop. Council Member Damman asked how vital spending this \$15,000 was with our concerns for the current sales tax decline.

Council Member Moore explained how the water storage works and that the money for this comes from the Water Enterprise Fund. During the year, we build up surplus water in the Tennessee Ditch and we can use it. Salida has a shortage of storage, only 295 acre feet which in essence is just a safety account. If we have a dry year and need this water we have it by purchasing the If and When storage for \$15,000. In the spring and early summer we develop water credits. It is in the winter months that we use up the credits down there. Without this storage, we couldn't manage our water system the way we do. This a cheap price to pay for water if it's needed. In 2002 we had a drought year and this storage was utilized.

A motion was made by Moore to pass RESOLUTION 2010-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A TEMPORARY WATER STORAGE CONTRACT WITH THE SOUTHEASTERN COLORADO WATER CONSERVANCY DISTRICT AND THE US BUREAU OF RECLAMATION FOR IF AND WHEN STORAGE SPACE IN THE FRYINGPAN-ARKANSAS PROJECT. **The motion was seconded by Baker.** With all in consensus, THE MOTION CARRIED.

2. Approving an IGA for increasing E911 fees –

Resolution 2010-06 providing for an increase in the Emergency Telephone Charge and approving certain amendments to the August 15, 2006 Intergovernmental Agreement concerning the implementation of the E9-1-1 Emergency Telephone Service.

Police Chief Terry Clark presented information that is included in the packet for the record. The request is to adopt the 911 Authority Board Resolution to amend the 2006 IGA to increase the rate fee.

After developing plans for current and future cost to maintain emergency 911 services the 911 Authority Board feels it is necessary to ask for a rate increase from the current amount of \$1.00 per line to \$1.25. In order to provide continuing and adequate emergency telephone service for the health and safety of the residents of and visitors to Chaffee County and the City of Salida. The Chaffee County Emergency Telephone Service Authority has determined that it must purchase the following equipment:

- Multi Channel recording system that can record 800 mhz and VHF radio systems.
- Two or three dispatch consoles, to be purchased in 2013 or 2014 and provide for a sinking fund for maintenance of the Authorities equipment and the purchase of future replacement equipment.

In 2008 The Authority borrowed \$250,000.00 from Chaffee County to replace the old system and we are currently making payments each year on the loan. Our current expenses will soon exceed our

current income.

In 2006 the IGA was amended and currently we have amended this version. Besides the rate increase the most noticeable amendment to the agreement is in section 4 VIII b- This defines the Authorities approval of borrowing money and requires the approval of the governing body of each entity.

Staff would suggest adopting the 911 Authority Board Resolution No. 06, 2010. A discussion followed. During the joint meeting last month there was some discussion by Chaffee County representatives that there might be a question on the ballot to increase tax revenue to help support dispatch. Chief Clark noted that the money raised by the E911 fund only covers approximately 1/3 of the cost of dispatch. Equipment costs are rising and there is a need to stay updated with technology that is constantly changing. Some of the money collected from this fund pays capital expenses, but most of it is used for equipment. Equipment upgrades are expected to cost around \$400,000. Chaffee County Dispatch provides service to our Fire and Police Departments.

A motion was made by Damman to approve RESOLUTION 2010,- 06 A RESOLUTION OF THE CITY COUNCIL OF SALIDA, COLORADO PROVIDING FOR AN INCREASE IN THE EMERGENCY TELEPHONE CHARGE AND APPROVING CERTAIN AMENDMENTS TO THE AUGUST 15, 2006 INTERGOVERNMENTAL AGREEMENT CONCERNING THE IMPLEMENTATION OF THE E9-1-1 EMERGENCY TELEPHONE SERVICE. The motion was seconded by Moore. With all in consensus, THE MOTION CARRIED.

5. City Administrator/City Attorney/Deputy City Clerk –

a. Administrator’s Report –

City Administrator Jack Lewis presented written materials that are included in the packet for the record.

Natural Resource Center Update -

Last week the NRC Development Board met and interviewed several qualified firms. One group of developers was made up of local players, and two groups were made up of some local and outside players. The Development Board chose BYG group led by Brad Buchannon, who is an architect. One of the major reasons BYG was selected is that they have been through this entire process with the U S Forest Service in Leadville, CO. Administrator Lewis is glad to have that quality of developer on this project.

The NRC Development Board is in discussion with the Division of Wildlife and discussions continue with other potential customers. Colorado Mountain College and Colorado State University have been in contact for potential involvement. He is very encouraged with the development group and will continue to work very hard to bring the NRC to the City of Salida.

Thank you letters for pool food donation -

Patrons of the pool donated non-perishable food items in December 2009. The Pool received thank you notes from the two recipient organizations: Cross Roads and First Presbyterian Church. The City personnel would like to thank those patrons who made donations to people in need in our community.

Recreation Manager Theresa Casey came up with a very innovative program. The thank you letters are

included in the packet from the recipients of the food drive done at the pool during the months of November and December. Theresa Casey, Pool Director thanked Council Members for allowing her the opportunity to do the food drive at the pool. In this economic time there are many families that took advantage of bringing two canned goods in lieu of ½ price admission to the pool.

Many current pass holders donated money and food as their way of giving back to the community. Council Members thanked Ms. Casey for heading up the successful food drive.

b. City Attorney Report –

Attorney Furman has nothing to report this evening.

c. Deputy City Clerk -

No report was submitted.

7. Elected Official Reports -

a. Treasurer

There was nothing to report this evening.

b. Mayor –

Mayor Rose received an email from the intercity bus service requesting a City representative sit on the board. Gunnison Denver Express has been in operation for over a year. Council Member Stewart volunteered to attend.

Mayor Rose met with other Mayors in the County, Buena Vista Mayor Cara Russell and Poncha Springs Mayor Mark Thonoff. Rose agreed to take the position as the UAACOG municipal representative for Chaffee County.

Mayor Rose thanked City staff for all the great work they're doing. He really appreciates when our citizens pay close attention.

c. City Council-

Council Member Baker thanked Administrator Lewis and Community Development Director Dara MacDonald for the progress that has been made regarding the Natural Resource Center.

Council Member Moore noted the passing of Jimmy Henry, a longtime resident of the City. He was an employee with the Hospital and had volunteered in the community in many ways one of which was delivering meals for Meals on Wheels. He has participated in Council Meetings by bringing his issues with the City to Council and requested solutions. He will be missed.

Council Member Moore watched the Public Works staff work on clearing ice on the streets and said the crew was very skilled with the heavy equipment. He was impressed by how precise they were able to maneuver the large equipment.

A motion was made by Damman to move into 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; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: For a City Administrator evaluation. And for the purpose of determining positions relative to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R. S. Section 24-6-402 (4)(e); AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: To discuss property negotiations. The motion was seconded by Baker. With all in consensus, THE MOTION CARRIED.

Mayor Rose announced the time as 7:24 p.m.

Council reconvened in regular session at 8:14 p.m. Those present during the Executive Session were Mayor Rose, Council Members Scott Damman, Jim McCormick, Jay Moore, Steven Stewart, and Tom Yerkey. Also present were City Administrator Jack Lewis, Deputy City Clerk Janella Martinez, City Clerk Betty Schwitzer, City Treasurer Eileen Rogers, Finance Director Jan Schmidt, and City Attorney Cassia Furman.

ADJOURNMENT –

A motion was made by Moore to adjourn the meeting at 8:15 p.m. The motion was seconded by Damman. With all in consensus, THE MOTION CARRIED.

[SEAL]

Mayor

Deputy City Clerk

Respectfully submitted by Janella S. Martinez, Deputy City Clerk