



**MINUTES REGULAR MEETING  
CITY COUNCIL CHAMBERS  
448 E. 1<sup>st</sup> Street, Suite 190**

**Salida, Colorado**

**April 6, 2010**

**6:00 p.m.**

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

**PLEDGE OF ALLEGIANCE -**

Led by Mayor Charles Rose.

**ROLL CALL -**

Present at roll call were Mayor Chuck Rose and Council Members Scott Damman, Jim McCormick, Jay Moore, Steven Stewart, and Tom Yerkey. Also present were City Administrator Jack Lewis, City Clerk Betty Schwitzer, Deputy City Clerk Janella Martinez, and City Attorney Karl Hanlon.

Absent was City Treasurer Eileen Rogers.

**CITIZEN PARTICIPATION -**

No one signed to speak.

**PRESENTATIONS -**

Theresa Casey, Recreation Manager, said that Kevin Nelson, Public Works, was here to give an update on the Hot Waterline Project. Ms. Casey distributed a list of temperatures taken starting at the Poncha Hot Springs source and continuing down the line at different locations toward the pool in Salida. Nelson reported that the Hot Waterline was tied back in yesterday. The temperature at the pool is already up to 100°. The line was turned on yesterday about 7:30 PM and sent to the pool at 9:00 PM. The contractor is still making tie in's and it's expected that after the pipeline is completed the temperature will continue to rise.

Council Member Yerkey asked if the area with the biggest drop in temperature had improved. Nelson said in that section that runs through the bog area the temperature has come up a lot. Council Member McCormick noted there was still 2000 feet to go, and when this project is completed this will be 5000 ft of insulated pipe on the hot waterline. The temperature is still going up and that's good. Nelson added that when Theresa opens the pool tomorrow the citizens should notice a temperature change. Those in attendance applauded.

**SCHEDULED ITEMS-**

1. Consent Agenda
  - a. Approval of Agenda

- b. Approval of Minutes: March 16, 2010
- c. City Property requests:
  - 1.) Upper Arkansas Service Club/Easter Egg Hunt
  - 2.) American Cancer Society/Climb for the Cure
  - 3.) Alpine Park Plant Sale for Chaffee County Montessori School
- d. Special Event Liquor Permit requests:
  - 1.) Rotary Club & Salida Community Center  
(Public Hearing, if needed)
  - 2.) Chamber of Commerce/Touber Building
- e. Farmers Market –  
Resolution 2010-22 Declaring Farmer’s Market 2010 an event of city wide interest.
- f. Posting Notice change of location-  
Resolution 2010-19 designating 448 East 1<sup>st</sup> Street, Suite 112 as the official posting location for the City of Salida.

c. City Property requests:

- 1.) Upper Arkansas Service Club Easter Egg Hunt –

The Kiwanis Club, the Lions Club and the Sertoma Club have combined volunteer efforts and are now known as The Upper Arkansas Service Club.

The request is to use Thonoff Park on Saturday April 3, 2010 to hold the Annual Easter Egg Hunt for the community children. They are requesting to use the park from 8:00 a.m. until 1:00 p.m.

As you know, a new recreation coordinator has recently been hired. Normally, City Staff reviews and approves all events **prior** to placing them on the agenda for Council approval. If staff feels there needs to be a meeting with the applicant, a pre-event meeting is scheduled. Our new recreation coordinator is learning the processes as we move forward. An event meeting was held on March 19, 2010 to review several upcoming events.

On review of the items for the consent agenda Martinez discovered that the date of this event would be held after this meeting. At this point I called all members of Council and requested verbal approval or denial for the Annual Easter Egg Hunt. There were no objections from Council. With members approval of this item on the Consent agenda you will ratify the verbal approval given Friday, March 26, 2010.

- 1.) American Cancer Society/Climb for the Cure

The American Cancer Society is holding their annual fundraiser Tenderfoot Climb to Conquer Cancer on May 1, 2010. They are requesting use of Riverside Park on Saturday, May 1, 2010 from 8:00 a.m. to 1:00 p.m. This request includes an amplified sound permit for these same hours.

- 3) Chaffee County Montessori Plant Sale, May 8<sup>th</sup> at Alpine Park

Chaffee County Montessori School (CCMS), Crest Academy, and Three Cherry Trees Preschool request the use of Alpine Park for the Second Annual Spring Plant Sale. CCMS and Crest Academy will be selling garden plant starts and flowers while Three Cherry Trees will add their Spring Festival with May Poles, crafts for children and other festive activities.

- d. Special Event Liquor Permit requests: (Public Hearing, if needed)

City Council is the local Liquor Licensing Authority. With passage of Ordinance 2009-15 liquor license renewal approvals was given to Administration by City Council, although approval of a Special

Events liquor permits is still required to go before the local authority, City Council, for approval.

Special Events Liquor Permits require public notice prior to Council approval. It is only required to hold a public hearing if protests have been submitted to the clerk prior to the public hearing date that is noticed in the posting. Both requests that will be heard tonight have been properly notice. If no protests have been submitted by the hearing date, a public hearing is not required. (The two requests below are being submitted for Council approval on the consent agenda pending no protests)

- 1.) Rotary Club & Salida Community Center are teaming together to hold a Salute to Veterans on Sunday, May 30, 2010 and Monday, May 31.
  - ✓ This request includes an amplified sound permit for both days from 11:00 a.m. to 10:00 p.m.
  - ✓ Vendors must apply for a peddler's license at least two weeks prior to the event. (The event coordinator is Elaine Allemang who is notifying any vendors of this requirement.)
  - ✓ The only food being served will be through the Rotary Club who will comply with any requirements by Chaffee County Health Department.
  - ✓ Liquor will be sold by the Rotary Club and the entire park is the designated liquor area.
  - ✓ The property was posted on Friday, March 26, 2010

There will be a parade on May 31, 2010 at 9:00 a.m. by our local Veterans. With a flag raising ceremony held at Riverside Park following the parade. A slide show presentation will be held at 9:00 p.m. honoring our local Veterans. Fireworks will be launched by the Salida Fire Department, if funding is sufficient.

To date no concerns have been submitted, so a public hearing is not required.

## 2.) Chamber of Commerce/Touber Building

Heart of the Rockies Chamber of Commerce is requesting a Special Events Liquor Permit on April 30, 2010 at The Touber Building, 448 East 1<sup>st</sup> Street, Salida, CO 81201 to hold Business After Hours from 5-7 PM. The liquor premises is defined as the City Council Chambers. To date no concerns have been submitted, so a public hearing is not required.

In coordination with the Chamber of Commerce the City of Salida and Chaffee County will be hosting an Open House from 1-7 p.m. at the Touber Building.

### e. Farmers Market –

Resolution 2010-22 Declaring Farmer's Market 2010 an event of city wide interest.

Seth Roberts, Central Colorado Foodshed Alliance is requesting to use Alpine Park, every Saturday from June 20 – October 10, 2010 to host a local Farmer's Market. The Market will be held from 9:00 a.m. -12:30 p.m. CCEA is requesting City Council to declare this event one of City wide interest by approving the attached resolution. The request includes an amplified sound permit from 9:00 a.m. to 12:30 p.m.

Staff recommends combining and approving the items on the consent agenda.

Council Member Yerkey requested to amend the agenda by moving items 7. Intergovernmental

Agreement with Poncha Springs for the Transfer of Sewer System, and 8. Intergovernmental Agreement with Poncha Springs for Provision of Sewer Services to be heard following the consent agenda. Council Member Baker seconded the motion. Council Member Damman asked if this motion should have included combining and approving the items on the consent agenda. Both Baker and Yerkey agreed. With all in consensus, THE MOTION CARRIED.

## **2. Intergovernmental Agreement with Poncha Springs for the Transfer of Sewer System.**

City Attorney Karl Hanlon presented written materials that are included in the packet for the record. The purpose of this Memo is to briefly outline the history of the ongoing dispute between the City of Salida ("Salida") and the Town of Poncha Springs ("Poncha") as it relates to the current 2004 Sewer Agreement by and between the parties and the proposed resolution of it.

In 2004 Salida and Poncha entered into the most recent of a series of agreements between them for Salida to provide sewage treatment services to Poncha. Shortly thereafter a dispute arose between the parties regarding the methodology of billing and the amounts that were due as a result. The parties tried to informally resolve the differences over the course of several years but were unable to do so. In January of 2009, Salida filed a complaint against Poncha in Chaffee County District Court making several claims including breach of contract, rescission and to have the contract found void as a result of it being in violation of TABOR. Poncha filed several counterclaims against Salida and the case moved forward during the first half of 2009.

The parties agreed to and the Court ordered that they participate in formal mediation. The parties engaged in two formal mediation sessions with retired Judge Leopold acting as the mediator. Those mediation sessions ultimately resulted in a Memorandum of Understanding which outlined the parameters of settling the dispute. That Memorandum of Understanding ("MOU") was approved by both Salida and Poncha governing bodies. A copy of the MOU is included in the packet. Since adoption of the MOU the parties have been working diligently to implement the provisions of the MOU which in substance provided for the transfer of the sewer system in Poncha to Salida.

The outgrowth of those continued negotiations are the two Intergovernmental Agreements ("IGA") which are presented for your consideration and approval. The first IGA provides for the transfer of the sewer system to Salida and contains a variety of provisions which will be discussed below to implement that transfer. The second IGA is for the ongoing operations of the sewer system and the interaction between Salida as the regional sewer provider and Poncha as a municipality served by the regional plant.

The highlights of the Transfer IGA are as follows:

1. The Poncha sewer system will be transferred along with its customers to Salida effective April 1, 2010. This assumes a first billing cycle at the end of April.
2. Customers in Poncha will be charged the same rates as in-city residents in Salida. This should result in a significant decrease in the current rates for Poncha residents as Poncha was charging additional amounts above and beyond the amounts being charged by Salida.
3. Salida will continue to have the flexibility to use special assessments as necessary within its service area to address specific problems that affect a portion of rate payers but do not affect or benefit all of the rate payers on the system.
4. Consistent with the MOU, Poncha is working to address areas of substantial groundwater infiltration on their system. They have limited the amount that they will expend from retained funds in their sewer enterprise to \$25,000.00. If additional repairs need to be made to the Poncha system, they will be financed via a special assessment.

5. Poncha will payoff the remaining debt it has outstanding which is secured by its Sewer Enterprise Fund.
6. Poncha will retain the balance of its Sewer Enterprise Fund less the amounts specified above and any prepaid tap fees/sewer plant investment fees, including, but not limited to, prepaid sewer tap fees for the Little River Ranch, which will be transferred to Salida on the Transfer Date.

The important points in the IGA for operations of the sewer system are as follows:

1. Poncha retains complete control over its land use planning process as a result of this IGA. Salida is acting solely as a utility provider within the corporate boundaries of Poncha.
2. Salida will be responsible for billing and collecting from individual customers receiving service as well as collecting plant investment fees or other improvement fees which may be adopted from time to time.
3. Residents in Poncha will become in-city (or rather in-region) rate payers and will be billed at the same rates as current Salida in-city customers are.
4. New development will be required to enter into inclusion agreements with Salida that address issues including design of infrastructure for the sewer system, incremental upgrades necessary to support the development, bypass water necessary to support the development, as well as the developer being responsible for costs of installing infrastructure.

The above two IGA's represent significant amount of work by both staff and the respective governing bodies. It ensures that Poncha residents will see rates commensurate with the services that they are receiving and will hopefully provide for necessary upgrades to their system as those become necessary. From Salida's perspective, these agreements finalize a long-standing dispute but, more importantly, provide a road map for the regional sewer plant to provide the high quality waste water treatment that the residents have come to expect while preserving the water quality standards that are important both to Salida's drinking water as well as the regional recreation industry. At this time, staff is recommending approval of the IGA's contingent upon the attachment of the Exhibits identified at the back of the IGA's which are currently being assembled by Poncha.

Hanlon thanked Council Members and the Poncha Trustees for coming to this agreement that reflects a great spirit of regionalization. The communities will be working together in a unique way. This is Council's opportunity to pass the agreements that have been reviewed by them several times.

Council Member Yerkey said the dispute has gone on since the 70's. Council Member Baker asked Attorney Hanlon if he felt this agreement will enhance our operations at the plant.

Hanlon said it will help the City move forward with the DOLA grant and will enhance the system by ensuring a package plant isn't put above the municipal intake.

Mayor Rose noted that this evening Council was not holding a public hearing, but asked Hanlon if someone wished to speak could it be allowed. Attorney Hanlon said that if Council wishes to take comments they could.

Jim Miller signed to speak about the agreements. Mayor Rose called him to the lecto.r;

Jim Miller, Salida, thanked Council for allowing him to speak. He knows that Council Members have a hard job and can never make everyone happy. He is not an obstructionist, but does expect growth to pay for itself. Miller is disappointed that this very complex and far reaching bit of politics was only released this afternoon. He doesn't understand why Council is in such a rush to approve this agreement. He requested Council delay approving the agreements for even one week to allow him time to allow him time to do

further research. Miller said Council was elected to represent him as a citizen of the city. No one seems to know of any direct or capital investment to the system, and he thinks that is fundamental. Everything has been done in executive session and that isn't necessary.

Council Member Damman noted that Salida has been servicing Poncha Springs since 1972 and that they have never made a direct capital investment to the sewer plant.

Mayor Rose said when this Council was elected they focused on not having executive sessions unless necessary.

Attorney Hanlon noted that we are litigants in a pending lawsuit. The MOU set forth the timeline. The first quarter of the year was established to get the agreements in place. The MOU was adopted publicly. The exhibits that are missing are the form of the easement deed so the City can operate the sewer system.

Miller said he has a lot of unanswered questions and would like more time to research this issue. A discussion followed.

Council Member Damman said that we operate as an Enterprise fund, thus we don't use our tax dollars. Damman wants to understand where we are going. Baker said we have spent two years making sure we addressed all of the issues.

Miller said "we" haven't, and he would beg to differ. Council Member Baker said Miller has no idea how many hours this Council and staff have worked on this issue.

Hanlon explained the operation of the water and sewer enterprise as an enterprise fund is driven by the rates and driven by what the rate payers pay for improvement fees that are charged when people hook up, plant investment fees collected. It is operated as a stand alone business, unlike the general fund. The shift is who maintains the lines and who sends the bill to the customer. That is the only thing that is changing. A discussion followed.

Mayor Rose asked for a motion.

A motion was made by Baker to approve the IGA for transfer of the Sewer system with Poncha Springs. The motion was seconded by Yerkey. A discussion followed.

Council Member Yerkey asked Attorney Hanlon how many Enterprise funds he has worked with. Hanlon said he has worked with many over the years. Yerkey asked if he worked with communities on agreements for enterprise funds. Hanlon said he absolutely has.

Yerkey feels this puts Salida in a lead position. In the past Poncha Springs administration stopped payment. Under the old agreement Salida had no recourse.

While Lewis was in Jackson Hole, Wyoming he had a similar experience. This model is exactly what happens specifically expanding the number of users to help pay for the treatment plants. In the past there has been a very rocky road between the two towns. We are the regional treatment plant whether we want to be or not. Lewis is pleased with this agreement.

Council Member Stewart asked how this model will make sure that growth pays its own way.

Lewis said if another Friend Ranch was on the horizon, all of the infrastructure would be paid for by that

development. As would any lines that need to be increased or laid in order to move the waste to our main line. We have more ability to improve that because we are now dealing directly with the applicants. A discussion followed.

Mayor Rose requested a roll call vote.

With all in consensus, THE MOTION CARRIED.

### **3. Intergovernmental Agreement with Poncha Springs for Provision of Sewer Services (Karp, Neu, Hanlon)**

Hanlon stated that Salida isn't taking on the role of a land use control measures. That control remains within Poncha Springs.

Council Member McCormick asked if we are digging in Poncha Springs, will we be responsible for replacing the pavement?

Attorney Hanlon said it will be like any other utility provider. The City will be responsible for replacing the pavement and if you make a pavement cut.

Mr. Miller said that one of the biggest causes of infiltration is known to come from clay tile pipe. How much clay tile pipe does Poncha Springs have? It is supposed to be in one of the attachments, but that attachment is not included in the paperwork he was given to review.

Mayor Rose suggested Miller sits down with Lewis to go over some of the questions he has regardless of if Council approves this agreement tonight or not. A discussion followed.

Miller said your agreement talks about an unknown number of existing plant investment fees that the town of Poncha Springs has already sold. How are you going to address these unused sewer taps that are already made? Are they going to be brought up to the current rate charged?

Lewis this is one of the documents we are waiting for. In Poncha the rate was at least double what ours was. They do pay the current rate.

Hanlon said the 62 or so taps are included in the Little River Ranch development.

Mayor Rose asked for a motion by Council.

A motion was made by Baker to approve the IGA for provision of Sewer Services with Poncha Springs. The motion was seconded by Moore. With all in consensus, THE MOTION CARRIED.

Jim Elmore, former Council Member asked if he could speak. Mayor Rose told him he could. Mr. Elmore, a citizen of the City, said Salida is the treatment plant for the valley. This is a monumental event. He wishes Council would take at least 30 seconds out of their business mentality to congratulate themselves for finally getting this done.

Mayor Rose said if the Poncha Trustees were here they should be thanked also. Mr. Elmore said this will benefit everyone. The documents were signed by the Mayor.

#### **4. Boat Ramp Restroom Bids– (Rob Vance)**

Rob Vance, Public Works Director, presented written materials that are included in the packet for the record.

There has been interest for several years in the creation of the next phase of the City's Whitewater Park in Riverside Park. A grant was applied for and awarded for the construction of these improvements. The improvements will be another attraction at our current Whitewater Park. These improvements are an economic benefit to our citizens as they bring in people from other areas to kayak and use our river.

The Whitewater Park and Greenway Phase 4 Project actually has several parts and each part will be bid separately. The project includes the construction of new in-stream whitewater features and the maintenance of existing features and the construction of a retaining wall and trail in Riverside Park, known as the Whitewater Park improvements. Another part of the overall project is construction of a two room flush type restroom at the boat ramp. The third part of this project is the construction of an artificial climbing wall in Riverside Park. This wall will be attached to the retaining wall and will be an added play feature of the Park.

The Whitewater Park was awarded to Lowry Contracting. They are currently working in Riverside Park on the trail. The bids for the boat ramp restrooms will return to Council during the April 20<sup>th</sup> meeting. Vance informed Council during the morning worksession that this project was well over the budgeted amount. The city tap fee was inadvertently left out of the budget. During the morning worksession Council Members indicated they wanted Vance to stay within the budgeted amount. Vance informed Council members that he spoke with the engineer in charge of the project and it has been reduced by \$5,800 so far. Vance said he doesn't need a motion from Council at this point.

#### **5. Wong-Brown Encroachment License- (Dara MacDonald)**

Resolution 2010-20 a license to Encroach Agreement with Casey Brown Investments, LLC.

The request is to pass a Resolution approving a License to Encroach Agreement with Casey Brown Investments, LLC for the existing building along G Street and along Third Street. The area of encroachment is shown on the attached exhibit and described in the legal description.

The applicant has applied for a subdivision exemption to rearrange some lot lines between the two properties at 139 W. Third Street and 305 G Street. It was from the survey that this encroachment was brought to our attention. The encroachment is only for the existing building. No new encroachment is proposed.

This encroachment request has been reviewed by the land use attorney and they have drafted the agreement.

A motion was made by Moore to pass RESOLUTION 2010-20 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, AUTHORIZING THE MAYOR TO SIGN A LICENSE TO ENCROACH AGREEMENT WITH CASEY BROWN INVESTMENTS, LLC. The motion was seconded by Damman. With all in consensus, THE MOTION CARRIED.

#### **6. Agreement for Legal Services –**



City Administrator Jack Lewis presented materials that are included in the packet for the record. City Council needs to approve a formal agreement with Karp, Neu, Hanlon PC. The firm has been acting as our legal counsel, this is a formality that we need to get squared away. A copy of the agreement is included in the packet for the record. Staff recommends Council approval.

A motion was made by Moore to approve the engagement agreement for legal counselors Karp, Neu, Hanlon, PC. The motion was seconded by Baker. With all in consensus, THE MOTION CARRIED.

#### **7. Proposed Recreation Fees –**

Resolution 2010-21 to set new fees and offer annual free schools out swim day

Theresa Casey, Recreation Manager, presented written materials that are included in the packet for record. The Municipal Code calls for Council approval of rate changes and of waiver of fees.

For Council consideration are the following fee changes:

- ✓ Add a 6 month pass: \$145 for a single, \$290 for a family, effective immediately.
- ✓ Add a military discount: \$9.00, (same as senior fee), effective immediately.
- ✓ Limit the life of the Budget Pass, currently 5 years, to one year from date of purchase, and from 20 visits to 15 visits, effective June 1, 2010. (\$75, still \$5 per visit)
- ✓ Offer an annual "FREE" school is out swim day, to follow the end of the regular school year, to stimulate summer activity and to celebrate the official start of the summer fun season.

Council Member Yerkey asked if these changes were reviewed by the Recreation Advisory Board. Ms. Casey said the Recreation board is aware of them.

A motion was made by Moore to pass RESOLUTION 2010- 21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, TO SET NEW FEES AND OFFER AN ANNUAL FREE SCHOOLS OUT SWIM DAY. The motion was seconded by Stewart. With all in consensus, THE MOTION CARRIED.

#### **8. Chip Seal Settlement with PMS and Rocky Mountain Chip Seal (Karp, Neu, Hanlon)**

A proposed Settlement Agreement between the City of Salida ("Salida"), Pavement Management Services ("PMS") and Rocky Mountain Chipseal ("RMCS") regarding the 2009 Chipseal Project is included in the packet for Council review. As Council is aware, there were three (3) roads which the City of Salida found unacceptable due to chips coming off when they were swept. Subsequent attempts to remediate the problem last summer resulted in excess oil seeping up from the first and second layer of oil and chip resulting in the need to blot several areas with sand. During the course of the winter, Staff has been working with PMS and RMCS to try to find an acceptable solution to the situation. In addition, Salida has been working with its engineers, Schmueser Gordon Meyer, specifically Jerry Burgess, P.E. as to possible options for the project. Finally, Staff has talked to other pavement companies to discuss the possible solutions and likely outcomes of further remediation efforts. The outgrowth of these investigations is that the likelihood of success is not 100%. The placement of additional oil and chips on the roads may result in similar problems to what occurred last summer. Accordingly, taking a "wait and see" approach seems to be the most viable option at this time. It is also possible that the road, while not aesthetically pleasing, will perform in a similar manner had it been completed correctly.

While the project was not completed entirely as anticipated, at least a portion of the retained \$174,000.00 is owed to PMS as the General Contractor on the job. RMCS, as a sub-contractor, has filed a claim with Salida for not having been paid by PMS on the project. In negotiating with the various parties, a settlement figure of \$120,000.00 was arrived at as a reasonable compromise. This leaves Salida with slightly over \$54,000.00 with which to do any follow-up remediation work that might be necessary.

The alternative to the above at this point is to litigate the matter to determine if there was a breach of contract and who is liable for any damages flowing from that breach. Given the risks associated with litigation as well as further remediation work, Staff believes this is the best solution. As a result, Staff recommends Council approve the attached Settlement Agreement. The approval of the Settlement Agreement will allow release of funds on April 7, 2010 to the contractors in the amounts specified in the Settlement Agreement. A brief discussion followed.

A motion was made by Moore to approve the Chip Seal Settlement agreement. The motion was seconded by Damman. With all in consensus, THE MOTION CARRIED.

## **9. City Administrator/City Attorney/Deputy City Clerk**

### **a. Administrator's Report – (Jack Lewis)**

City Administrator Jack Lewis presented written information that is included in the packet for the record.

#### **1. Recommendation for use of former Council Chambers/Annex and former City Hall**

Keith Baker, Scott Damman and Lewis met to review the properties the City vacated by moving to the new Touber Building. Those properties are the prior City Hall at 124 E Street, the Police/Council building at 125 E 3<sup>rd</sup> Street and the police annex building at 123 E 3<sup>rd</sup> street. The recommendation of the group is to allow the Fire Department to use the City Hall facility, and to winterize and secure the other two buildings and wait until the Salida real estate market improves. The group is also recommending not leasing the two buildings as that was seen in this current environment as competing too much with the private sector considering the abundance of office space currently on the market. Other factors the group considered are the possible use of these facilities for other activities that are currently located elsewhere and the possibility of trades for properties the City may deem appropriate from time to time. The action Lewis is looking for is whether or not the Council agrees with the recommendation. If not Lewis is looking for specific direction regarding each property. Administrator Lewis thanked Baker and Damman for sharing their expertise as realtors with this situation. A good amount of time was spent on bringing this recommendation to Council this evening.

It was asked if there would be any initial costs for improvements at 124 E Street before the Fire Department would move in. Lewis said no. There has been some discussion that the South Arkansas Fire District might fund more of the utilities cost. Council Members indicated they had no objection to allow the Fire Department use of the 124 E Street.

Next Lewis said there will be a goal setting work session set up soon. Lewis apologized for not having the work session about Home Rule on his calendar. That session will also be schedule soon.

### **b. City Attorney Report – Karp, Neu, & Hanlon, PC**

Karl Hanlon had nothing more to report this evening.

c. Deputy City Clerk -

Deputy Clerk Martinez had nothing to report.

7. Elected Official Reports -

a. Treasurer

Mayor Rose announced that Ms. Rogers had a bad fall skiing and is hurt, but she hopes to be back on the job in a couple of weeks.

City Treasurer Rogers had nothing to report.

b. Mayor –

Salida has been consistently awarded as Tree City USA. Thanks to our Tree Board we have once again been named a Tree City USA.

Mayor Rose thanked the SteamPlant staff for doing a great job hosting the International Mountain Biking Association regional conference here. Eighty people participate in the conference and while in the area enjoyed our restaurants and trails.

Mayor Rose reminded everyone that on April 30 there will be a grand opening of the Touber Building from 2-5. The Governor will be here for the dedication. One of Mr. Touber's daughters will also be here. We now have the City and County working together in another unique way.

We just passed Poncha Sewer Agreement that brings two municipalities working together. That represents an entire county. We need to realize if we don't work together given the scale of this item, we should improve lives. Thanks for everyone coming tonight.

c. City Council-

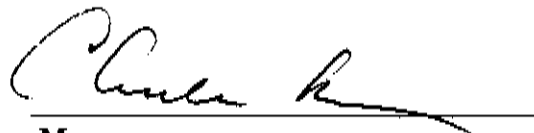
Councilmember Baker apologized for getting angry with Mr. Miller and would like to explain why. It has been a passion of Mayor Rose and Mayor Thonoff, Mr. Yerkey and I to finally get this issue settled. We had a mediator that pushed this forward and getting the Poncha agreement finalized is important

Council Member Moore hopes the sewer agreement works as well. And remember the Tree Boards motto is "A town without trees isn't fit for a dog".

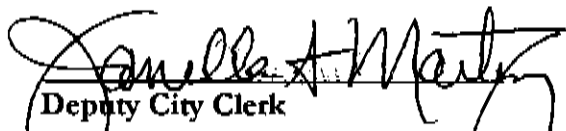
Councilmember Yerkey noted that community relationships can be built upon by working together. Getting this agreement signed is healthy for both Salida and Poncha. There are many reasons why this is beneficial and in the best interest for both communities.

**ADJOURNMENT** –

A motion was made by Moore to adjourn the meeting at 8:08 p.m. The motion was seconded by Damman. With all in consensus, THE MOTION CARRIED.

  
\_\_\_\_\_  
Mayor

[SEAL]

  
\_\_\_\_\_  
Deputy City Clerk

Respectfully submitted by Janella S. Martinez, Deputy City Clerk