



## MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado  
Tuesday, August 15, 2017 6:00 p.m.

### I. REGULAR MEETING CALLED TO ORDER –

### II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim LiVecchi

### III. ROLL CALL

All members of City Council and staff were present.

### IV. PRESENTATION

#### 1. Proclamation – Cities and Towns Week

Mayor LiVecchi read the proclamation aloud to the City Council and the members of the public.

#### 2. Chaffee Housing Trust – Read McCulloch

McCulloch gave a short presentation and requested a letter of support from the Council for a grant application.

### V. CITIZEN PARTICIPATION – 3 minute time limit. *Citizen participation is for items not on the agenda and for agenda items that are not scheduled public hearings.*

Steve Borbas of Salida stated that the negative comments about Ben Kahn are unfair. He stated that Kahn spent 12 years in Bernstien Law Firm and left the job to start his own law firm in Salida. Borbas stated that Kahn has represented many different organizations and has decades of experience. Borbas stated that he has other experience in development, water and other issues. He stated that Ben has demonstrated success in other areas and it makes him uniquely qualified to be the City's Attorney.

Ron Mazzeo of Salida stated that he was back again to speak about Palmer Street. He stated that the last time he spoke, he referenced the Rabe letter and distributed a copy of the letter to the City Council. Mazzeo stated that he received an email from a past City employee and the email stated the land was declared a right of way and the Vandaveers opposed any vacation of the right-of-way. He stated that he hoped it was not a deliberate attempt by the Council to hurt the SNRCDC. He urged the Council to open the right-of-way.

Monika Griesenbeck of Salida stated that she learned an amazing fact; that the previous City Attorney and Administrator didn't keep any records. Griesenbeck stated that there was not much response from the City Council upon learning that information. She felt that it should be a very important process. She stated that certain Council Members are always asking staff about record keeping. Griesenbeck stated that there is very little public information regarding the Fish/Miller/Bomer lawsuit. She felt it was outrageous and felt the people didn't care about what happens to the City. She asked that the Council solve the problems because the real problems are not being discussed.

Ray Kitson of Chaffee County stated that Kahn has made over \$400k in the last 15 months. He felt that Kahn is not experienced. He stated that the City won a suite against Auxier, he stated that he felt Kahn has cost the

City a great City Administrator. Kitson stated that it is time to get a real attorney. Kitson felt the attorney needs to go.

## VI. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
  - a) Approval of Agenda
  - b) Approval of Meeting Minutes – August 1, 2017
  - c) Colorado Fourteeners Initiative Special Events Liquor Permit – August 31, 2017
  - d) Pickleball Court Bid Award
  - e) Wood Avenue Street Closure

Bowers recused himself because he is involved in the street closure request for Wood Avenue.

**Brown-Kovacic motioned to combine and approve items “a-d” on the Consent Agenda. Rogers seconded the motion. With all in favor, THE MOTIONED CARRIED.**

**Brown motioned to approve item “e”. Granzella seconded the motion. With all in favor, THE MOTION CARRIED.**

2. **HRRMC Planned Development Major Modification , 1<sup>st</sup> Reading** (Glen Van Nimwegen)  
Ordinance 2017-21 approving a major impact review for a 46.4 acre area of land known as lots 1-A and 1R of the HRRMC Annexation to add 22 acres to the existing planned development for the Heart of the Rockies Medical Campus and amend the standards of the complete planned development overlay

Van Nimwegen gave an introduction and provided background information.

Brown-Kovacic clarified that the Rush Drive entrance would be for the public.

Wilbur stated that 10% is required to be landscaped and the parking will be common.

**Granzella motioned to approve Ordinance 2017-21, an ordinance of the City Council, City of Salida, approving a major impact review for a 46.4 acre area of land known as lots 1-A and 1R of the HRRMC Annexation to add 22 acres to the existing planned development for the Heart of the Rockies Medical Campus and amend the standards of the complete planned development overlay. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.**

3. **Two Rivers Subdivision Improvement and Waterline Extension Cost Recovery Agreement** (Glen Van Nimwegen) Resolution 2017-42 approving the subdivision improvement agreement and CR 105 waterline extension cost recovery agreement pursuant to the Two Rivers Planned Development Plan

Van Nimwegen gave an introduction and provided background information. Address 2017-33 to state the Peternell agreement.

**Brown motioned to approve Resolution 2017-42, a resolution of the City Council, City of Salida, approving the subdivision improvement agreement and CR 105 waterline extension cost recovery agreement pursuant to the Two Rivers Planned Development Plan. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.**

4. **Two Rivers Phase I & II Plat Approval** (Glen Van Nimwegen)  
Resolution 2017-43 approving the final subdivision plats for Two Rivers Subdivision Phase I and Phase II

Van Nimwegen gave an introduction and provided background information.

**Brown motioned to approve Resolution 2017-43, a resolution of the City Council, City of Salida approving the final subdivision plats for Two Rivers Subdivision Phase I and Phase II. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.**

5. **School Resource Officer** (Terry Clark)  
Resolution 2017-44 authorizing the City Administrator to enter into an intergovernmental agreement with

the Salida School District, concerning the School Resource Officer

Clark gave an introduction and provided background information.

Granzella asked what the budget allocation would be. Clark stated that the school will bill the City twice a year.

Brown-Kovacic asked how the time is spent in the three schools. Clark stated the time allocation would be discussed with Blackburn. Brown-Kovacic asked if the officer would receive notifications from the courts regarding different requirements and programs. Clark confirmed.

Bowers asked if the supervision will be done by the Police Department and the School. Clark stated that they would be reporting to the City, but it would be a cooperative effort with the school.

**Rogers motioned to approve Resolution 2017-44, a resolution of the City Council, City of Salida authorizing the City Administrator to enter into an intergovernmental agreement with the Salida School District, concerning the School Resource Officer. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.**

**6. Chaffee Shuttle Contract (Glen Van Nimwegen)**

Resolution 2017-45 approving a professional services contract for the fixed route shuttle pilot transit project and appropriating additional sums of money in the Economic Development Fund for the 2017 Budget for said Project

LiVecchi gave an introduction and provided background information.

Bowers stated that he did not see Marvin park as a stop. LiVecchi stated that during the summer it would likely be an ideal place. But also because it could jeopardize the flow that is going.

Bowers raised a concern regarding the Public Utilities Commission.

Brown-Kovacic stated that she has been sitting in on the meetings. She was curious about what the different estimates are.

Van Nimwegen stated that the different amounts are appropriations from the budget.

**Granzella motioned to approve Resolution 2017-45, a resolution of the City Council, City of Salida, approving a professional services contract for the fixed route shuttle pilot transit project and appropriating additional sums of money in the Economic Development Fund for the 2017 Budget for said Project.**

**Bowers seconded the motion. With all in favor, THE MOTION CARRIED.**

**7. Citizen Appointment to the Historic Planning Commission (Christian Samora)**

Resolution 2017-46 approving citizen appointments to the Historic Preservation Commission

Samora gave an introduction and provided background information.

Bowers motioned to approve. Harris Regular. Tomkeiwicz Regular. Granzella.

**8. Chaffee County IGA for 2017 Coordinated Election (Betty Schwitzer)**

Resolution 2017-47 approving a coordinated mail ballot election and adopting the Uniform Election Code

Schwitzer gave an introduction and provided background information.

**Bowers motioned to approve Resolution 2017-47, a resolution of the City Council, City of Salida, approving a coordinated mail ballot election and adopting the Uniform Election Code. Brown seconded the motion. With all in favor, THE MOTION CARRIED.**

**9. Revocable License Agreement With Wood's Distillery (Christian Samora)**

Resolution 2017-48 approving a revocable license agreement with Wood's High Mountain Distillery for a portion of sidewalk right-of-way adjacent to 144 W. 1<sup>st</sup> Street for the purpose of allowing temporary improvements

Samora gave an introduction and provided background information.

**Rogers motioned to approve Resolution 2017-48, a resolution of the City Council, City of Salida, approving a revocable license agreement with Wood's High Mountain Distillery for a portion of sidewalk right-of-way adjacent to 144 W. 1<sup>st</sup> Street for the purpose of allowing temporary improvements. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.**

Bowers stated that he has received numerous complaints about the sidewalks being cluttered and the paths and the sidewalk has an incline.

Brown-Kovacic stated that she was aware of clutter issues and stated it is a section where there is quite a lot of space. She did not feel there was an issue with the space.

**P.T. Wood stated that he has had the license for a number of years and they have a number of people with wheel chairs frequent the business. He stated that there is an electric vehicle charging station. They have never had any problem with wheelchairs. He stated that it is not in their interest to block the sidewalk. In a 5-1 roll call vote, THE MOTION CARRIED. Bowers had the dissenting vote.**

**10. Touber Building West Elevator Rehabilitation Services Contract (Larry Lorentzen)**

Resolution 2017-49 approving the Touber Building West Elevator Rehabilitation services contract and authorizing the Mayor of the City of Salida to execute the same

**Rogers motioned to approve Resolution 2017-49, a resolution of the City Council, City of Salida approving the Touber Building West Elevator Rehabilitation services contract and authorizing the Mayor of the City of Salida to execute the same. Brown-Kovacic seconded the motion.**

Granzella asked if it would be an overhaul or replace. Lorentzen stated that it will be an overhaul and was done by consensus of the building committee.

**With all in favor, THE MOTION CARRIED.**

**11. Administrator/Deputy City Clerk**

- City Administrator Report –Larry Lorentzen  
Lorentzen stated that in the future he will have a written report. He has been spending his time primarily meeting with staff and familiarizing himself with City issues.  
Lorentzen continued to state that he has been meeting with local committees. In addition, he has been meeting with department heads and starting on the 2018 budget process.  
The quarterly intergovernmental meeting will be on the 29<sup>th</sup>.  
The Council was in favor of a work session on August 28<sup>th</sup> to discuss what items the Council would like to see included in the 2018 budget.

**12. Elected Official Reports**

- City Clerk – Betty Schwitzer
- City Treasurer – Theresa Cortese  
Cortese gave the Sales Tax Report.
- City Council- Michael Bowers, Hal Brown , Cheryl Brown-Kovacic, Rusty Granzella, Melodee Hallett and Eileen Rogers.  
Rogers stated that she was saddened by the way things went during the council work session on the

night prior. Roger stated that she expected a lively conversation between the Council members and didn't feel that it happened. Rogers stated that she anticipated the discussion to be about the Council's concerns related to the responsibilities and activities of our city attorney and how to make the relationship with the attorney more efficient and effective. Rogers stated that instead there was a two hour lecture and an outline of what he was going to tell Council. Rogers stated that some of the Council did get a few questions stated, but they were almost completely answered by the City Attorney. Rogers stated that interaction between counselors was missing and she suspected that several discussion points that were anticipated were extinguished after the discussion .

- Mayor – Jim LiVecchi

## VII. NEW BUSINESS

### Chaffee Housing Trust.

There was consensus to move forward with the letter of support.

Brown-Kovacic stated that she is shocked at the treatment that a group of foreign students received on their way to Salida. She stated that it has come before the Denver City Council. She stated that Denver does not have a holding facility and the students were taken to jail. She suggested sending a letter to Denver City Council supporting them to handle the situation differently.

## VIII. OLD BUSINESS

Brown-Kovacic asked about the D Street Apartments. The land owner is scheduled to appear at the August 18<sup>th</sup> Municipal Court.

Granzella asked if anything has been started on the Palmer Street.

Brown motioned to allow the meeting to extend past 9pm. Hallett seconded the motion.

Rogers felt there should be a limit as to how late the meeting can go.

Brown was agreeable to limiting the meeting to 10:30pm.

With all in favor, THE MOTION CARRIED.

## IX. EXECUTIVE SESSION

Brown motioned to enter 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). AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: NRCDC real property issues and Site 12 solar installation. Bowers seconded the motion.

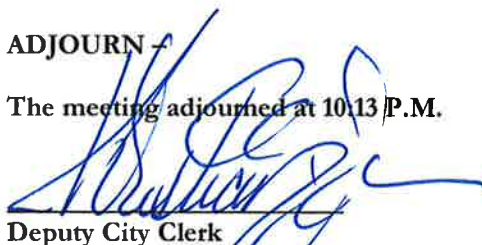
## X. REPORT/ACTION

Brown reported that the Council received advisement on issued surrounding the SNRCDC and have a lot more information than they had before. No action or decisions will be made. They will reconvene on the same subject in the next four to six weeks.

## XI. ADJOURN -

The meeting adjourned at 10:13 P.M.

[SEAL]

  
Deputy City Clerk

  
Mayor



