



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, January 19, 2016 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 Council and staff were present.

IV. PRESENTATION (10 Minutes)

1. Swearing in of Newly Appointed City Treasurer, Theresa Cortese – Betty Schwitzer

Clerk Schwitzer swore in Theresa Cortese as the newly appointed City Treasurer.

2. Introduction of New Development Intern, Brian Spitzig – Dan Osborn

Osborn introduced Spitzig as the new Community Development Intern.

3. Transit Presentation – Dominique Naccarato

Naccarato presented information regarding public transit in the Chaffee County region.

4. Department of Local Affairs Presentation – Christy Culp

Culp introduced herself to the newly elected officials and gave a brief overview of the services that the Department of Local Affairs provide to local government entities. Culp presented a plaque to the Mayor for a recent City project.

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.*

Vern Davis of Salida stated that the YouTube video for the January 19, 2016 NRCDC video is not complete and requested that the entire video be preserved. He stated that he felt the annexation application is being rushed through.

Nancy Thompson of Salida stated that she is very concerned about the disparity between prioritizing affordable housing and what is being proposed near the Wastewater Treatment Plant. She stated that she spoke with financial counselors and that she would need to be making \$4k a month to afford a basic home in the City of Salida.

Mary Hay of Salida stated David Larcom does not want handcuffs, but wants to complete the mural. She

stated that is a piece of artwork. She distributed a memo and urged the council to take action on the issue.

Devin Sassel of Salida stated that he was initially excited about the Tiny Homes because it could be affordable. He stated that the rent is much higher to rent a tiny home per square foot as opposed to other rentals. He stated that in the last hour and a half he collected 53 signatures on a petition and felt he was not informed about what is going on in town. He continued to stated that $\frac{3}{4}$ of someone's income is not reasonable. He felt that the community is turning its back on the people that run the town. He proposed that the developers reconsider what they are developing.

Wendell Pryor of Salida stated that he wanted to acknowledge the ongoing need for affordable housing. He stated that they began meeting with the Tiny Homes developers because it is a beginning of the efforts to provide housing, not the end. He stated that last August he spoke with employers who had difficulty hiring people because of the housing situation.

Jeff Auxier of Salida stated that there has been a housing problem in Vail since he lived there in the late 1970's. He did not feel that all of the options are being considered. Auxier stated that Vail is breaking ground for an affordable housing project. He suggested that the code could be changed to allow ADUs and to have the Planning Director spend his time on that instead of the NRCDC. He stated that an offer to purchase the land was made and it never made its way to Council.

VI. NEW BUSINESS

Hallett motioned for staff to prepare written records of direction given to staff from Council so that corrections may be made within a day or two.

Brown seconded the motion.

Brown-Kovacic offered a friendly amendment to have staff forward the minutes as opposed to creating a separate document. Hallett accepted the amendment to the motion.

With all in favor, THE MOTION CARRIED.

Bowers suggested that there could be a ballot question for a lodging tax on vacation rentals and a marijuana tax at the November Election. Staff will add these items to the list of Priorities and Goals for the Council to discuss further.

VII. OLD BUSINESS

Bowers stated that he has been contacted by Mary Hay regarding Larcom's mural and was concerned because it has been a struggle for the last three years. Bowers suggested that the Council consider a variance or a waiver of the existing ordinance that would allow Larcom to complete the mural.

Osborn stated that he did not agree that it was a three year process. He stated that Larcom has already been through the process and the City has not received a complete application with fees.

Osborn stated that if a complete application is received, it would be on the next planning commission after it has been properly noticed.

Brown-Kovacic stated that she has been contacted by historic societies who were concerned that there needs to be some process to approving murals.

Osborn stated that an application was submitted in July of 2014, which was rejected because there was not written permission from the property owner. Most recently Larcom submitted the application, but was not willing to pay the fee. Hay stated that they did not believe the cost reimbursement deposit was needed.

Granzella motioned to provide David Larcom with a \$200 fee waiver. Bowers seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED. Rogers had the dissenting vote.

Granzella asked for an update on the HWY 50 CDOT issue. He stated that he was concerned about the quality of work. Bowers stated that the asphalt has cracked and he is concerned that someone will get into an accident. He stated that the quality of the work is poor. He asked that the Administrator contact CDOT regarding the issues. MacDonald stated that there will be a meeting on Monday at 3pm with CDOT that a Council member can attend to speak with them. Rogers agreed with Bowers and wondered why the stripes were not painted rather than being ground down. Brown and Rogers will attend the meeting.

Granzella motioned to make the change to the NRCDC bylaws for 2015 to not require an audit of the financial statements and for staff to bring the change back for approval. Rogers seconded the motion.

Rogers stated that there is very little financial transaction activity with the NRCDC.

Brown asked if the need for the audit is eliminated, would there still be financial statements. He stated that as long as there is a set of statements he could support the idea.

With all in favor, THE MOTION CARRIED.

VIII. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
 - a) Approval of Agenda
 - b) Approval of Minutes: January 5, 2016
 - c) Final Settlement of Waste Water Rehabilitation Project

Brown motioned to approve the Agenda. Rogers seconded the motion. With all in favor, THE MOTION CARRIED. Bowers stated that a correction needs to be made to item #8 in the minutes. Granzella stated that a correction needs to be made to item #7 in the minutes regarding the mission statement deadline. Council Member Hallett will be providing a correction for the minutes and staff will be providing clarification on the Wastewater Rehabilitation Project final settlement. Both items will be considered at the next Council Meeting.

2. **Appointment of Municipal Judge, 2nd Reading and Public Hearing** (Christian Samora)
Ordinance 2016-01 appointing the Municipal Judge and approving a professional services contract

Samora introduced the agenda item and provided background information.

Mayor LiVecchi opened the public hearing.

Mayor LiVecchi closed the public hearing because there were not any members from the public signed up to speak.

Bowers motioned to approve Ordinance 2016-01, an ordinance of the City Council, City of Salida appointing Cheryl Hardy-Moore as the Municipal Judge, approving a professional services contract and ordering the ordinance to be published by title only. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

3. **Pesnell Hanger Lease Agreement, 2nd Reading and Public Hearing** (Dara MacDonald)
Ordinance 2016-02 approving a ground lease with Monson Creek Ranch, Inc.

MacDonald gave an introduction and provided background information.

Mayor LiVecchi opened the public hearing.

Mayor LiVecchi closed the public hearing because there were not any members from the public signed up to speak.

Rogers motioned to approve Ordinance 2016-02, an ordinance of the City Council, City of Salida approving a ground lease with Monson Creek Ranch, Inc. and ordering the ordinance published by title only. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

4. Annexation of 7800 W Hwy 50, 1st Reading (Dan Osborn)

Ordinance 2016-03 annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the 7800 W. Hwy 50 Annexation

Osborn gave an introduction and provided background information.

Brown stated that the passage of this ordinance has stipulated conditions. He asked what would happen if Mick did not meet those. Osborn stated that the property was scraped before it was annexed.

Brown stated that he was not comfortable passing the ordinance. MacDonald stated that the applicant has been notified of when the Council will be considering the issue.

Granzella motioned to approve Ordinance 2016-03, an ordinance of the City Council, City of Salida, annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the 7800 W. Hwy 50 Annexation and ordering the ordinance to be published by title only. Brown-Kovacic seconded the motion.

Hallett stated that there is still a bit of confusion and she would have felt much more comfortable have worked with someone on the proper process.

Osborn stated that staff has been working with DOLA to get training set up for late February.

With all in favor, THE MOTION CARRIED.

5. Zoning of 7800 W Hwy 50, 1st Reading (Dan Osborn)

Ordinance 2016-04 zoning certain real property known as the 7800 W. Hwy 50 Annexation under the C-1, Commercial Zone District

Osborn gave an introduction and provided background information.

Granzella motioned to approve Ordinance 2016-04, an ordinance of the City Council, City of Salida zoning certain real property known as the 7800 W. Hwy 50 Annexation under the C-1, Commercial Zone District and ordering the ordinance to be published by title only. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

6. Annexation of Papp & City of Salida, 1st Reading (Dan Osborn)

Ordinance 2016-05 annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Papp Annexation

Osborn introduced the agenda item and gave background information.

Brown-Kovacic asked why there are only two annexations instead of three. Osborn explained the process of a serial annexation and stated that the Statute requires 1/6 contiguity.

Rogers asked what the square footage would be for the AMI and asked if they would all be the same size or a mixture.

Bowers stated that he was also under the same impression that there would be three annexations.

Granzella recapped what the Council would be approving tonight. Osborn stated that staff would need direction on the annexation agreement.

Brown stated that one of the aspects that has been generating angst because everyone is talking about a development. He stated that the actual development would need to go through the process. The City Attorney stated that the annexation agreement would be approved at the same time as the annexation. If the Council is not satisfied with the agreement, the public hearing can be continued to a later date after hearing at least an hour of testimony at the public hearing.

Granzella asked if the annexation would require the council to look at EPA issues.

Osborn stated that they would not.

Joe DeLuca gave a presentation

Granzella motioned to approve Ordinance 2016-05, an ordinance of the City Council, City of Salida annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Papp Annexation and ordering the ordinance to be published by title only. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

7. Annexation of City of Salida & Angler's Ridge, 1st Reading (Dan Osborn)

Ordinance 2016-06 annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Angler's Ridge Annexation

Osborn gave an introduction and provided background information.

Granzella asked if the public hearing could be held on the 16th. MacDonald clarified that the public hearing on the 2nd could be continued. .

Brown motioned to approve Ordinance 2016-06, an ordinance of the City Council, City of Salida annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Angler's Ridge Annexation and ordering the ordinance published by title only. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

8. Zoning of Papp Annexation, 1st Reading (Dan Osborn)

Ordinance 2016-07 zoning a part of certain real property known as the Papp Annexation under the Residential Mixed Use Zone District

Osborn gave an introduction and provided background information.

Brown-Kovacic motioned to approve Ordinance 2016-07, an ordinance of the City Council, City of Salida, zoning a part of certain real property known as the Papp Annexation under the Residential Mixed Use Zone District and ordering the ordinance to be published by title only. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

9. Zoning of City of Salida Annexation, 1st Reading (Dan Osborn)

Ordinance 2016-08 zoning certain real property containing the Salida Wastewater Treatment facility under the Industrial Zone District

Osborn gave an introduction and provided background information.

Granzella motioned to approve Ordinance 2016-08, an ordinance of the City Council, City of Salida zoning certain real property containing the Salida Wastewater Treatment facility under the Industrial Zone District and ordering the ordinance to be published by title only. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

10. Zoning of Angler's Ridge Annexation, 1st Reading (Dan Osborn)

Ordinance 2016-09 zoning a certain real property known as the Angler's Ridge Annexation under the Residential Mixed Use Zone District

Osborn gave an introduction and provided background information.

Rogers motioned to approve Ordinance 2016-09, an ordinance of the City Council, City of Salida zoning a certain real property known as the Angler's Ridge Annexation under the Residential Mixed Use Zone District and ordering the ordinance to be published by title only. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

11. Natural Habitats' Letter of Intent to Purchase Vandaveer Land (Dara MacDonald)

Resolution 2016-07 approving a non-binding letter of intent for the purchase and sale of land

MacDonald introduced the agenda item and gave background information.

Hallett asked if another offer received later would be entertained and how would it be addressed.

MacDonald stated that the letter is non-binding and demonstrate that the parties would like to move forward with good faith.

Discussion continued.

Rogers motioned to approve Resolution 2016-07, a resolution of the City Council, City of Salida approving a non-binding letter of intent for the purchase and sale of land. Brown-Kovacic seconded the motion.

Granzella motioned amend the original motion to state that the letter will be back on the agenda for the 16th of February to allow for the opportunity to speak with the NRCDC Board. Bowers seconded the motion. In a 5-1 roll call vote the motion to amend the original motion passed. Brown-Kovacic had the dissenting vote.

With all in favor to approve the amended motion, THE MOTION CARRIED.

Administrator/City Attorney/Deputy City Clerk

- City Administrator Report –Dara MacDonald
MacDonald reported that staff and the Salida Cyclones have met and agreed upon the summer fees remaining the same and fall fees will be \$32 for the first summer and \$25 for additional family members. MacDonald continued to report that the Recreation department and the county have agreed on the City paying a portion of the regular fees. The Council did not have any objection to the proposed fees for the Salida Cyclones and the Pickleball.

Brown motioned to recommend that Councilmember Rogers be a representative from Salida on the Transportation Advisory Board. Granzella seconded the motion. With all in favor, THE MOTION CARRIED.

- City Attorney Report – Karp, Neu, Hanlon, PC
- Deputy City Clerk Report – Christian Samora

12. Elected Official Reports

- City Clerk – Betty Schwitzer
- City Treasurer – Theresa Cortese
- City Council- Michael Bowers, Hal Brown , Cheryl Brown-Kovacic, Rusty Granzella, Melodee Hallett and Eileen Rogers.
- Mayor – Jim LiVecchi

IX. EXECUTIVE SESSION

Brown motioned to enter in to Executive Session for a conference with an 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: Case # 2015 CV 30043 Steve Tafoya v. City of Salida Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

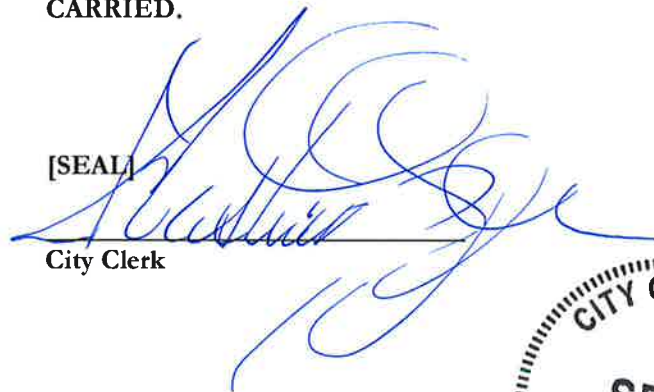
X. EXECUTIVE SESSION REPORT/ACTION

Rogers motioned to agree to the stipulation with dismissal and direct staff to proceed with final discussions and filing. Brown seconded the motion.

With all in favor, THE MOTION CARRIED

XI. ADJOURN -

Rogers motioned to adjourn, Brown seconded the motion. With all in favor, THE MOTION CARRIED.

[SEAL]

City Clerk


Mayor



