



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, February 16, 2016 6:00 p.m.

I. REGULAR MEETING CALLED TO ORDER –

II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim LiVecchi

III. PRESENTATION

Introduction of Municipal Judge, Cheryl Hardy-Moore – Mayor LiVecchi

Judge Hardy-Moore gave an introduction and explained how she had been preparing for the first court date since her appointment to the position. She stated that she is very honored to take the position and invited the Council to observe the court proceedings. She reminded everyone that there is a separation of power, legislative, judicial and executive branch.

She continued to explain that she and her husband moved to Salida from Steamboat Springs to be closer to their son and his family.

IV. ROLL CALL

All elected officials and staff were present with the exception of the City Attorney.

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.*

Ray Kitson of Salida stated that he was concerned there was a \$50,000 agreement for the Harrington Ditch that has not gone out to bid. LiVecchi stated that his understanding was that the Department of Corrections would give them the best deal possible.

Bob Salmi of Salida stated that they did go out for proposals and received one from Avalanche Excavating for \$79,000 and received one from the Department of Corrections for \$49,000.

Linda Ferbrache of Chaffee County stated that work was done to a ditch that is on private property and there should have been permission given. She stated that she spoke to Dara MacDonald and received assurances that the situation would be dealt with. She stated that the pipe has been collecting debris from the CR 107 runoff. She asked why proposals have not come forth. MacDonald stated that she has been working with Lonnie for a solution. They had spoken about an agreement for maintenance. Brown-Kovacic asked what the process was because she thought that all of the neighbors had been informed. MacDonald stated that she was under the understanding that it was resolved until she had heard about the issue again in December.

Jeff Auxier of Salida stated that the agreement in the Council packet is not an agreement that Steve Tafoya will sign. He continued to state that the NRCDC is listed as a major project and it is not listed in the budget. He stated that because the City has so much invested in the NRCDC it should be in the

City's Budget. He stated that the audit should be a part of the City expense, not the NRCDC. He continued to state that you cannot be a member of the NRCDC and also work for the City. MacDonald stated that the resolution regarding the audit did not originate from staff, it was a direction from Council. MacDonald stated that she had presented a proposal to the NRCDC Board for the 2015 Audit.

Gail Donovan of Salida stated that she came home to City workers trimming lilacs and a hybrid apple tree in the alley behind her home. She stated that she called Bob Salmi and the Mayor and was told the Public Works Director did not have time to go door to door and shake hands with everybody. She read from the Salida Tree Care Guide. She stated that the private owner should be notified in writing. Bob Salmi stated that crews were cutting trees from the right of way. He stated that he did not feel main branches were cut. He stated that he understood the branch was hanging out quite far. He stated that he told his crews that if it happens again and they are threatened, to contact the police for assistance.

VI. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
 - a) Approval of Agenda
 - b) Approval of Minutes: February 2, 2016
 - c) 11th Street Rehabilitation Bid Award
 - d) 2016 Sidewalks Project Bid Award
 - e) 2016 Slurry Seal Project Bid Award
 - f) Elevator Bid Award
 - g) 14th & K Street Final Settlement
 - h) Amphitheater Retaining Wall Bid Award

Brown requested that the 11th Street project be a separate consideration. He continued to state that he had a question about the sidewalk, slurry seal and retaining wall projects.

Rogers stated that all of the items were in the budget and the Council approved the budget. She stated that if they do not go out for bid then they may not get done this year.

Brown stated that it is true that the items are in the budget. He stated that it is also true that some items have amounts that are greater than the amount budgeted.

Granzella motioned to approve items A & B. Bowers seconded the motion. In a 5-1 voice vote, THE MOTION CARRIED. Rogers had the dissenting vote.

c) 11th Street Rehabilitation Bid Award.

Granzella motioned to approve the 11th Street bid award. Rogers seconded the motion. With all in favor, THE MOTIONED CARRIED.

d) 2016 Sidewalks Project Bid Award.

Rogers motioned to approve the 2016 Sidewalks Project Bid Award. Brown Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

e) 2016 Slurry Seal Project Bid Award.

Granzella motioned to approve the 2016 Slurry Seal Project Bid Award. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

f) Elevator Bid Award.

Rogers motioned to approve the Elevator Bid Award not to exceed \$108,000. Bowers seconded the

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

g) **14th & K Street Final settlement.**

Granzella motioned to approve the 14th & K Street Final settlement. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

h) **Amphitheater Retaining Wall Bid Award**

Granzella motioned to approve the Amphitheater Retaining Wall Bid Award. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

2. Angler's Ridge Annexation Agreement (Dan Osborn)

Resolution 2016-13 approving an annexation agreement with Anglers Ridge, LLC for the annexation of certain real property into the City

Osborn gave an introduction and provided background information.

Bowers stated that he would like time to read the agreement and compare it to what they were given previous before making a decision. He suggested that it be tabled until the Council can review the information.

Brown-Kovacic clarified that the document they received is exactly what was in the packet after any clerical errors were corrected.

Brown stated that he agreed with Council Member Bowers.

Brown-Kovacic asked how the figure in paragraph "N" was determined regarding the lift-station. Osborn stated that Salmi arrive at that figure. DeLuca stated that the figure was based on costs for gas and electric.

Granzella asked how a future purchaser can see the plat note. Osborn stated that it would show up on the title documents. He also asked what off-site means. MacDonald stated that the road adjacent would be a good example.

Granzella asked about the monitoring of the pump station. DeLuca stated that the State requires monitoring and the monitoring will likely be tied into the City's monitoring system.

Bowers would like to see the annexation agreement address the evacuation.

Bowers motioned to table the item until the next regular Council Meeting and for the agreement to include a deadline for manufacturing, a requirement that the any lease will note the possibility of odor or dust, and a maintenance quality requirement. Brown seconded the motion.

Rogers was in disagreement and felt that they needed to move forward.

Granzella asked if Brown-Kovacic agreed with the AMI figures.

Brown-Kovacic stated that she is not excited about it, but it is something to start with.

Bowers stated that he would like to see something signed by the County Commissioners stating that they will be maintaining the bridge.

Brown asked when they will see the amended agreement. Brown asked that the updated agreement be sent out before the packet is sent out.

Discussion continued.

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

- 3. Amendment to Natural Resource Center Development Corporation Bylaws** (Dara MacDonald)
Resolution 2016-14 approving an amendment to the bylaws of the Salida Natural Resource Center Development Corporation

MacDonald gave an introduction and provided background information.

Granzella recused himself from the discussion.

Brown-Kovacic stated that she liked that the change maintains the requirement to have an audit.

Rogers motioned to approve Resolution 2016-14, a resolution of the City Council, City of Salida approving an amendment to the bylaws of the Salida Natural Resource Center Development Corporation. Brown-Kovacic seconded the motion. In a 5-1 Roll Call Vote, THE MOTION CARRIED. Hallett had the dissenting vote.

Jeff Schweitzer gave a brief statement and stated that he is very excited about the new business.

- 4. Fifty Burgers Liquor License Application and Public Hearing** (Christian Samora)

Granzella motioned to approve a Hotel and Restaurant Liquor License for Laughing Ladies, Corporation at 445 E. Rainbow Blvd in Salida. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

- 5. Department of Corrections Harrington Ditch Maintenance Agreement** (Bob Salmi)
Resolution 2016-15 approving the offender labor agreement for 2016 Harrington Ditch maintenance project and authorizing the Mayor to enter into an agreement between the City and the Colorado Department of Corrections, Division of Correctional Industries

Bowers recused himself from the discussion.

Salmi gave an introduction and provided background information.

Rogers motioned to approve Resolution 2016-15, a resolution of the City Council, City of Salida approving the offender labor agreement for 2016 Harrington Ditch maintenance project and authorizing the Mayor to enter into an agreement between the City and the Colorado Department of Corrections, Division of Correctional Industries. Brown Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

- 6. Department of Local Affairs Scout Hut Agreement** (Theresa Casey)
Resolution 2016-16 authorizing the Mayor to enter into an agreement on behalf of the City and with the Department of Local Affairs, accepting the terms of a grant for the Scout Hut Renovation Project

Casey gave an introduction and provided background information.

Granzella stated that the agreement supersedes any agreements in the past.

Brown-Kovacic motioned to approve Resolution 2016-16, a resolution of the City Council, City of Salida authorizing the Mayor to enter into an agreement on behalf of the City and with the Department of Local Affairs, accepting the terms of a grant for the Scout Hut Renovation Project. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

- 7. Settlement Agreement with Tafoya on Case No. 2015 CV 30043** (Dara MacDonald)
Resolution 2016-17 approving a settlement agreement and stipulation for the Hot Springs Aquatic Center civil action

MacDonald gave an introduction and explained a number of revisions.

Brown motioned to approve Resolution 2016-17, a resolution of the City Council, City of Salida approving a settlement agreement and stipulation for the Hot Springs Aquatic Center civil actio. Rogers seconded the motion. In a 4-2 roll call vote, THE MOTION CARRIED. Bowers and Hallett had the dissenting votes.

Administrator/City Attorney/Deputy City Clerk

- City Administrator Report –Dara MacDonald

Rogers motioned to approve \$6,000 for the housing needs assessment. Brown Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

Rogers and Brown-Kovacic will serve on the housing committee.

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

8. Elected Official Reports

- City Clerk – Betty Schwitzer
- City Treasurer – Theresa Cortese
- Cortese stated that she attended the Rubin Brown.
- City Council- Michael Bowers, Hal Brown , Cheryl Brown-Kovacic, Rusty Granzella, Melodee Hallett and Eileen Rogers.
- Mayor – James LiVecchi

City Attorney Selection:

LiVecchi stated that there will be four interviews for City Attorney. The four selected candidates were John Belkin, Matthew Hobbs, Lee Phillips, and Ben Kahn.

A work session will be scheduled on February 24th and a special meeting will be scheduled on the 25th to complete the interviews.

VII. NEW BUSINESS

Council directed staff to contact property owners when trees are to be trimmed.

VIII. OLD BUSINESS

IX. ADJOURN –

The meeting was adjourned.

[SEAL]


Deputy City Clerk




Mayor

