



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, April 5, 2016 6:00 p.m.

- I. **REGULAR MEETING CALLED TO ORDER –**
- II. **PLEDGE OF ALLEGIANCE –** Led by Mayor Jim LiVecchi
- III. **ROLL CALL**
- IV. **PRESENTATION**

Salida Recycling Center – Susan Freeman

Susan Freeman of Salida stated that the community working together was stressed during the March 24 Town Hall Meeting. Freeman stated that she would be presenting to the Council a petition to relocate the Recycling Center. Freeman continued to state that the Crabtree study also recommended relocation of the Salida Recycling Center. Freeman stated that some of the issues were listed in a letter that she wrote on March 17, 2016. Freeman stated that the water gallery site in the Crabtree study could be a solution for the immediate need. She continued to state that both trash service companies offer curb side recycling service.

Chipeta Peak Correction Presentation – Wayne Iverson

Iverson presented information regarding the renaming of Chipeta Peak from the current location to the high point on the mountain. The City Council was in agreement to prepare a proclamation for the next City Council Meeting.

- 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.*

Jeff Auxier of Salida stated that the architectural services for the Scout Hut bids had only a \$500 difference between the local preference and the bid that was received from the other bidder. He continued to state that the recycling efforts can be difficult. He stated that the hazardous waste site for a metropolitan area was only half an acre. He felt the relationship between the City and CrabTree may be getting biased. Auxier stated that moving the recycling center out of town may use more energy for people to have to drive their vehicles.

Mickey Barry from Shavano Waste stated that they are doing the best they can to keep the area around the Recycling Center cleaned up. He stated that a lot of the sites in the CrabTree study are not feasible. He suggested that maybe the lot next to Longfellow elementary may be a feasible location. He said that if it's moved too far out of town, then it may as well be at their location in Poncha Poncha. Mickey continued to state that the majority of the recycling in Chaffee County comes from the Salida location.

Dominick Losieh of Salida stated that he represents Banana Belt Industries, DBA Banana Belt Ice Cream. He continued to state that his intention was to sell prepackaged ice cream in Salida. He stated that they had signs made and he wanted to bring it to the Council's attention after listening to the work session on the 4th. Losieh stated that he would operate it where there is more pedestrian traffic. He stated that he would also be

on the east side of town. He continued to state that he would work with the other gentleman who will be selling shaved ice.

Katie Wikoff of Salida presented a bag of recyclable materials that she collected in her yard. She felt that a commercial place would be more appropriate for the recycling center. She suggested finding a more commercial area or to have home pick up for recycling. Wikoff stated that she would discourage the County Road 108/107 location for the recycling center.

Mary Hay of Chaffee County stated that she goes to the pool every Friday morning. She stated that it is ironic that a very large RV is always parked at the recycling center. Hay continued to state that there needs to be a trash can for the dog waste. She stated that someone lived in the RV every single day. Hay stated that a bear had to forfeit its life because of the amount of trash in the cans. She stated that there was no accountability or supervision of the workers at the park. Hay continued to state that it was almost impossible to walk through the park in the summer because of all the branches that were mowed into the grass. Hay suggested that there should be a sign to indicate that there is a dog park just down the street.

Mark Hoynoski stated that he would appreciate something being done to remedy the recycling situation.

VI. SCHEDULED ITEMS

06:35:25

1. **Consent Agenda** (Christian Samora)
 - a) Approval of Agenda
 - b) Approval of Minutes: March 15, 2016
 - c) Approval of Minutes: March 23, 2016

LiVecchi stated that he would like to eliminate the item relating to the change in when elected officials take office. LiVecchi stated that they all took an oath for two or four years and felt that they need to be committed to the City.

Brown-Kovacic felt it would be beneficial for the new council to have the opportunity to learn between being elected and taking office.

Bowers motioned to amend the Council Agenda to remove item #4. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

Brown motioned to combine and approve the items on the consent agenda. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

06:42:50

2. **Expan, Inc Hotel & Restaurant Liquor License Application and Public Hearing** (Christian Samora)
Expan, Inc, DBA Jul's has applied for a hotel & restaurant liquor license at 7595 W Hwy 50

Samora introduced the agenda item and provided background information.

Granzella motioned to approve a hotel & restaurant liquor license for Expan, INC, DBA Jul's to operate at 7595 W Hwy 50. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

06:45:38

3. **Amicas Hotel & Restaurant Liquor License Application and Public Hearing** (Christian Samora)
Amicas Pizza, Microbrews & More, DBA Amicas has applied for a hotel & restaurant liquor license at 136 E 2nd Street

Samora introduced the agenda item and provided background information.

Bowers motioned to approve a hotel & restaurant liquor license for Amicas Pizza, Microbrews & More, DBA Amicas to operate at 7595 W Hwy 50. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

06:49:40

4. Bid Award for Scout Hut Project Architectural Services (Theresa Casey)

Resolution 2016-32 approving the award of a professional services agreement for architectural services and authorizing the City Administrator to enter into a professional services agreement between the City of Salida and Helmstetler Architects & Associates for architectural services for the Salida Scout Hut Project 2016

Casey gave an introduction and provided background information.

Granzella asked Casey if there were any advantages that she saw between the two proposals. Casey stated that she did check references for the firm in Del Norte and had worked with Whittington on previous projects.

Brown asked for clarification on the recommendation. Casey clarified that the recommendation was for Helmstetler Architects & Associates.

Granzella and Bowers were in favor of awarding the contract to Sarah F. Whittington.

Rogers stated that she was in favor of going with the lower bid submitted by Helmstetler.

Brown asked if Helmstetler had been used before. MacDonald stated that they had been used before. Brown stated that he was in favor of going with staff's recommendation.

Brown-Kovacic was in support of the recommendation.

Rogers motioned to approve Resolution 2016-32, a resolution of the City Council, City of Salida approving the award of a professional services agreement for architectural services and authorizing the City Administrator to enter into a professional services agreement between the City of Salida and Helmstetler Architects & Associates for architectural services for the Salida Scout Hut Project 2016. Brown seconded the motion. In a 4-3 roll call vote, the Motion carried. Bowers, Hallett and Granzella had the dissenting votes.

06:59:47

5. Bid Award for the Salida Pool & Aquatic Center Clearstory Windows (Theresa Casey)

Resolution 2016-33 approving the award of a construction services agreement with Architectural Glass and Authorizing the City Administrator to enter into a construction services agreement between the City of Salida and Architectural Glass to provide and install windows in the Aquatics Center clearstory

Casey gave an introduction and provided background information. Casey continued to explain that a double-pane test window was placed in the clearstory. The test window has not had condensation unlike the other single-pane windows in the clear story. Casey explained that there were not any responses from companies outside of Salida.

Steve Duhaime stated that the condensation is formed by the lack of the double pane window insulation.

Granzella asked how many windows there are in the clearstory.

Duhaime stated that there are sixty-two 46"x46" square windows and eight 48"x48" trapezoid windows.

Granzella asked if the pool would need to be shut down. Casey stated that perhaps the work could be completed during the shutdown for pool maintenance.

Duhaime stated that he may not be able to hold the price until the fall. He continued to state that he had considered not doing the job after the job went back out for more proposals with his proposal being public record.

Bowers asked how long the price would be good for. Duhaime stated that the proposal indicates that the price would be good for 60 days. He continued to state that it would be difficult to guarantee a finish date with it being so high up and being outdoors.

Hallett asked if the materials could be purchased now and installed later. Dumaine stated that they could if the City stored them

Brown-Kovacic stated that having the scope of work explained was very helpful.

Duhaime clarified that the target would be to have them installed in May.

Granzella motioned to approve Resolution 2016-33, a resolution of the City Council, City of Salida approving the award of a construction services agreement with Architectural Glass and Authorizing the City Administrator to enter into a construction services agreement between the City of Salida and Architectural Glass to provide and install windows in the Aquatics Center clearstory. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

07:11:16

6. **Bid Award for the 2016 Touber Building Elevator Project** (Kevin Crowley)
Resolution 2016-34 approving the award of an agreement for the 2016 Touber Building Elevator Project and Authorizing the City Administrator to enter into a construction services agreement between the City and Peak Elevator Performance Group

Crowley gave an introduction and provided background information.

Bowers stated that there have been a number of contract overruns and budget amendments on projects. MacDonald clarified that it is not an overrun or a budget amendment.

Rogers motioned to terminate the agreement with Morning Star Elevator. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

Rogers motioned to approve Resolution 2016-34, a resolution of the City Council, City of Salida approving the award of an agreement for the 2016 Touber Building Elevator Project and Authorizing the City Administrator to enter into a construction services agreement between the City and Peak Elevator Performance Group not to exceed \$105,500. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

Administrator/City Attorney/Deputy City Clerk

- City Administrator Report –Dara MacDonald

Community Center Water Damage Repair

MacDonald explained that there was water damage from a leaking toilet at the Salida Community Center. MacDonald continued to explain that staff would be looking for direction as to whether the Council would like to cover the cost of the repair.

The Council was in favor of staff proceeding with going out to bid and bring back the obtaining actual costs to repair the water damage to the floor.

(Continued after Executive Session)

07:30:25

VII. EXECUTIVE SESSION

Brown motioned to adjourn to 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). THE FOLLOWING IS PROVIDED FOR IDENTIFICATION PURPOSES: City Attorney and legal services transition issues; Auxier Budget Case No. 14CA1092; Colorado Springs Water Case No. 05CW096

And for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(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. THE FOLLOWING IS PROVIDED FOR IDENTIFICATION PURPOSES: City Attorney limited indemnification proposal; Wastewater Treatment Plant. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

09:10:48

VIII. REPORT/ACTION

Brown reported that upon advice of legal counsel, the Council was presented with the choice to direct the attorney to pursue settlement discussions in the Auxier case. There was consensus to do so.

There was also consensus to direct water counsel to file for non-participation in the upcoming trial for the Colorado Springs water suit. There was consensus to do so.

There was consensus to direct legal counsel to draft a proposed limited defense agreement regarding complaints filed against the City Administrator.

- City Administrator Report –Dara MacDonald

(Continued from before Executive Session)

Tennis Court Grant Application

The City Council was in favor of pursuing the GOCO grant for the relocation and construction of the tennis courts.

Recycling Center

The City Council was in favor of pursuing an on-site fencing solution for the recycling center.

Police Department Staffing Needs

MacDonald reported that a memo from Chief Clark was distributed to Council regarding the staffing situation in the Police Department.

Bowers stated that he has been in contact with the corrections facility in Buena Vista and stated that the starting wage is about \$40,000.

The Council was in favor of scheduling the topic for an upcoming work session.

Public Access Station

MacDonald stated that a proposal has come forward to activate the public access station and asked if Council would like to pursue the proposal. Hallett was in favor of pursuing the proposal.

Public Parking at Shriner Building

MacDonald reported that the owners of the Shriners Building are willing to lease the facility and the parking for \$1,000 per month.

Granzella did not see that there was a need to lease the facility. MacDonald stated that she will speak with the owners to see if there is interest in leasing the parking only. MacDonald continued to state that staff has been working with Union Pacific to expand parking, but have not received a price yet.

Breckenridge Gazebo Structure

MacDonald reported that the City of Breckenridge is removing a gazebo and asked for direction as to whether the Council would be interested in relocating the gazebo at an estimated cost of \$20k-\$30k

The Council was not interested in pursuing the gazebo relocation.

Hallett asked Casey what the status was of the playground equipment that was offered to the City by the owner of the former Burger King building. Casey stated that the City did not take the equipment because it was not designed to be outdoors and it is not a certified design as required by the insurance company.

MacDonald asked if the Council had direction regarding the Chipeta Peak Presentation. **The Council was in agreement to move forward with a proclamation.**

MacDonald asked if Council would like to cancel the June 21 City Council Meeting because of the CML Conference. **The Council was in agreement to keep the meeting scheduled.**

- Deputy City Clerk Report – Christian Samora

Cancer Climb Fee Waiver Request

The City Council was in favor of providing a fee waiver to the American Cancer Association for park use in the amount of \$110.00.

FYI Fee Waiver Request

The City Council was in favor of providing a fee waiver to the Family Youth Initiative for Scout Hut use in the amount of \$75.00.

Poco Sidewalk Use Request

The City Council requested additional information regarding what will be placed on the sidewalk, when it will be placed on the sidewalk and whether it will be left out at night.

1. 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.

Bowers commended the Department of Corrections for their job on the Harrington Ditch. Bowers continues to state that he would like a document prepared to show appreciation for the work that was done. Brown was in favor as well.

Rogers stated that on Friday, March 25 the local newspaper published an article related to a City personnel matter. Rogers stated that confidentiality is always required. Rogers stated that her biggest fear is that a

Council member may have disclosed the information. Rogers requested that the attorney research the appropriate statutes and what the ramifications are for elected officials that violate the statutes.

- Mayor – James LiVecchi

IX. NEW BUSINESS

Granzella would like more information regarding the RV that has been parked at the Aquatics Center. Granzella asked if the individual with the ice cream trike had contacted staff. MacDonald stated that he had not yet contacted staff. MacDonald stated that she was not aware of the RV situation, but will be finding out more about the situation.

X. OLD BUSINESS

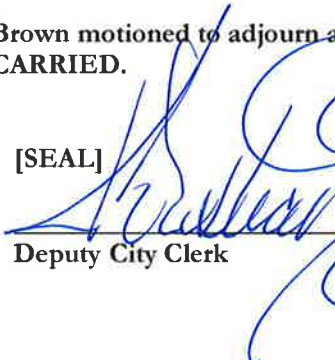
NRCDC Board Vacancy

Rogers stated that she felt the vacant NRCDC Board seat should be filled. Hallett was not in agreement and felt the seat should be left open. Brown-Kovacic stated that there should be consistent procedures with filling board and commission seats. Granzella stated that the project with Lowry should move forward with the current NRCDC Board without filling the seat.

The consensus of the Council was to not fill the vacant NRCDC Board seat.

XI. ADJOURN –

Brown motioned to adjourn at 10:03. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

[SEAL]

Deputy City Clerk




James LiVecchi, Mayor