



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, July 5, 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 the Council and Staff were present.

IV. PRESENTATION

Designation of July as Parks and Recreation Month Proclamation – Theresa Casey

Casey gave an introduction and presented the proclamation designating July as Parks and Recreation Month. Casey invited the Council to attend the ice cream socials at Alpine Park, Centennial Park and Chisholm Park

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

P.T. Wood of Salida asked who will be running the day to day operations at the City and hoped that insight could be offered in that regard.

Monika Griesenbeck of Salida asked when the nets at Marvin Park would be installed. She stated that she felt the City was still running well. Griesenbeck stated that she was happy to see the new transparency group, but felt it was selective transparency. She continued to state that the people were told that the dump station would be a money maker, but it is not clear whether or not that is that is the case.

Louise Fish of Salida stated that she is not a part of the group, but felt it was transparency for everyone. She hoped that she would find out why the land swap is a TABOR issue, but the sale of the land is not a TABOR issue. She thanked the Mayor for the answers, but felt they were rather generic and felt it was stonewalling. Fish stated that Michael Scott's opinion letter states that operating the NRCDC as a separate entity is paramount.

VI. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
 - a) Approval of Agenda
 - b) Approval of Minutes: June 21, 2016
 - c) 2016 Aquatic Center Repave Project Final Settlement
 - d) 2016 Longfellow Sewer Project Final Settlement
 - e) 2016 Salida River Trail Final Settlement
 - f) Salida Riverside Arts Festival – July 15-17, 2016

Brown motioned to combine and approve the consent agenda with the exception of b), e) and to continue #3 to the next regular City Council meeting. Granzella seconded the motion. With all in favor the motion carried.

2. Approval of Additional Spending for 2017 Street Rehabilitation Projects (Bob Salmi)

Salmi gave an introduction and provided background information. Salmi explained that the project is \$91k over budget.

Granzella asked how much money would be saved by eliminating the 5th Street Project. Salmi stated that he does not have a breakdown of the cost.

Brown-Kovacic stated that she is unclear about the increase. Salmi stated that when the budget was approved, Palmer and Hunt Streets both needed to be done, but both were not budgeted for.

Brown asked what was driving the cost of engineering to be so much higher. Salmi stated that it was an aggressive policy to get as much done as possible by doing both streets.

Granzella would like more informative numbers regarding the budget overage.

Bowers asked what would be in addition for the construction management. Salmi stated that it would be a little less than 15% or so. Salmi will bring more information back to the City Council.

3. Harriet Alexander Ground Lease with Ron C. Liebl, Trust, 1st reading (Christian Samora)
Ordinance 2016-14 approving a ground lease with Ron C. Liebl, Trust

Zech Papp gave an introduction and provided background information. He stated that the Council would just be approving the new land lease for an existing hanger that is being transferred separately.

Hallett asked if it was typical the way the lease was written.

Brown-Kovacic asked if the lease rate was a typical rate. Papp stated that it was fairly typical and the leasee would pay the commercial taxes for the land and the property.

Papp stated that most airports are not money makers. Papp stated that the larger commercial airports are money makers when there are commercial flights going in and out.

Brown asked if it was typical to own the building and lease the land.

Papp stated that the lease was approved by the Commissioners on July 5th. Papp stated that the advisory mostly advises on the construction of new hangers. He stated that signing the new lease agreement would be at the current rate.

Brown asked if the lease is transferable. Papp agreed that the lease is bound in to a 20 year lease.

Casey stated that the matter came up for the price per square foot. She stated that each entity agreed upon and approved the lease pricing. Casey suggested that staff could dig up the old comparisons.

Brown motioned to approve Ordinance 2016-14, an ordinance of the City Council, City of Salida approving a ground lease with Ron C. Liebl, Trust, setting a public hearing for July 19, 2016 and ordering the ordinance published in full. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

5. Administrator & Deputy City Clerk

- Deputy City Clerk Report – Christian Samora

Samora stated that there is a conflict in having the work session on the same day as Municipal Court.

LiVecchi stated that Sam Mamet will be presenting at 9:00 a.m. for an hour on the morning of July 8, 2016. The Work Session will be at 8:00 a.m. on July 8th.

6. Elected Official Reports

- City Clerk – Betty Schwitzer
- City Treasurer – Theresa Cortese – Sales Tax Report
- 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 two weeks ago she requested the City Attorney bills. She stated that previously Council Members had been able to view the invoices.

Mayor LiVecchi stated that as far as the billing, Rogers can definitely take a look.

Hallett stated that she was allowed to view the bills from the finance department.

Brown-Kovacic stated that she wanted to know if the Council knew there have been difficulties with power outages in the last two weeks. She stated that it is creating a very difficult problem. She was asked by hospital staff to contact Xcel. She stated that she has done so. Brown-Kovacic stated that two families related to the Lowry's have experienced losses. Brown-Kovacic asked about a letter that was sent from Kahn to Michael Scott. She stated that it is embarrassing when citizens know things and the Council are not aware of it. She felt that the whole Council should be involved with the direction. Brown-Kovacic also stated that she felt the tone of the letter was disrespectful. She stated that the people appointed to the NRCDC are leaders in the community and she felt the tone of the letter was disturbing.

Bowers thanked everyone for the help with the fundraiser at the Scout Hut. He stated that it was a positive deal. He stated that there was a complaint about the dogs in the park.

- Mayor – James LiVecchi

LiVecchi stated that he also received inquiries regarding the dogs in the park. He thanked everyone that volunteered. He stated that there were a number of special guests. LiVecchi listed the amounts that each Council Member collected for the Scout Hut.

VII. NEW BUSINESS

Granzella stated that his neighborhood has had power outages as well. He asked if the Council can address Xcel and see if anything can be found out.

Pete Cordova stated that he contacted PUC to place an inquiry. He stated that he received a phone call from Xcel and will be providing a spreadsheet with all of the outages and the reason for the outages.

Another citizen stated that she had to cancel part of the work day when the power went out.

Granzella would like to know what Xcel is doing to correct it.

LiVecchi stated that Samora has been doing a lot of extra duties and asked the Council to increase his wages until an Administrator is in place for a month.

Rogers motioned to approve a raise of 10% until the new administrator has been in place for a month. Brown-Kovacic seconded. With all in favor, THE MOTION CARRIED.

VIII. OLD BUSINESS

Granzella stated that the nets in Marvin park came in at 30k less than the budget and they should be installed by October 1, 2016.

Recess for 15 minutes.

Kahn stated that as clients that the Council has a certain ability to view the bills. He stated that in the past there has been some supervised review.

Granzella stated that there has been two questions regarding the participation of Council Members on the NRCDC Board.

Brown-Kovacic stated that she recently learned about a letter that was sent to Michael Scott. She stated that she was disturbed about it because she did not know anything about it or the actions that were being directed.

Kahn stated that he did not feel it was an appropriate conversation for open session. He continued to state that the Council was advised.

1. NRCDC Update

Kahn stated that there are two issues: The Lowry and the TABOR review. He stated that he has reached out to Lowry's Council and interest in purchasing the property remains. He stated that the conversations will continue while being sensitive to the loss in the Lowry family.

Kahn stated that the opinion letters are in the packet for review. He stated that with the exception of the Michael Scott letter, there is nothing to state compliance with TABOR.

Kahn stated that the only other issue is the indemnity demand.

Rogers asked if Kahn was able to contact the outside council regarding the TABOR issue. Kahn stated that the Mayor and Kahn met with Ken Salazar. Mark Grueskin was the recommendation to assist with the TABOR issue. There is a call set up for 11am on July 6th with Grueskin and Kahn.

Brown-Kovacic stated that it may be prudent for the City to contact the Attorney General or tax and revenue office to work through it. She felt that approaching the AG could allow the City to work out a solution.

IX. EXECUTIVE SESSION

Bowers 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: May 2012 Employment Agreement between the City and Dara MacDonald as amended. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

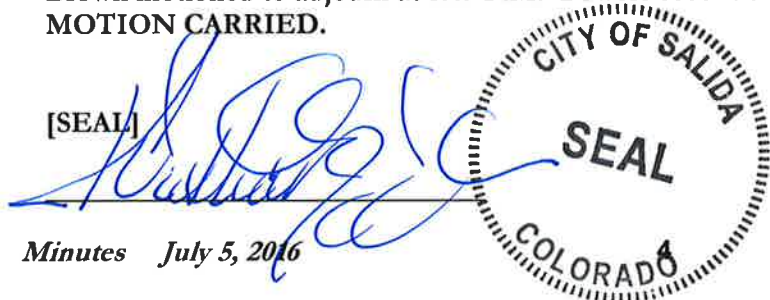
X. REPORT/ACTION

Rogers stated that the work is in the hands of CIRSA.

XI. ADJOURN –

Brown motioned to adjourn at 8:49 P.M. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

[SEAL]



Jim Livacchi
Mayor

Deputy City Clerk

