



MEETING MINUTES OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, May 2, 2017 6:00 p.m.

I. REGULAR MEETING CALLED TO ORDER –

II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim LiVecchi

III. ROLL CALL

IV. PRESENTATION

Arbor Day Proclamation – Mayor LiVecchi

Mayor LiVecchi presented the proclamation and declared May 17th to be Arbor Day in the City of Salida.

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.*

Brown referenced a resolution that was passed in 2000 regarding rules and procedure for City Council Meetings. He stated that since it was passed, there have been six mayors, six administrators and 25 council people. Brown read that each person shall state their name address and limit their comments to three minutes. He stated that it should be addressing the mayor and not individual members of the City Council. He stated that personal attacks will not be allowed. Brown continued to state that the Mayor will call in the order in which people have signed up. Brown stated that any person that makes personal or slander shall be barred from the audience until the decision has been reversed.

VI. SCHEDULED ITEMS

1. Consent Agenda (Christian Samora)

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| a) Approval of Agenda | e) Salida Chamber of Commerce
– Brewers Rendezvous |
| b) Approval of Minutes: April 18, 2017 | f) Salida Chamber of Commerce
– Ride the Rockies |
| c) Central Colorado Foodshed Alliance
– Farmers Market | g) Salida Chamber of Commerce
– Wine Festival |
| d) Chaffee County Search & Rescue
– Shavano Car Show | h) Salida Circus – Alpine Park Carnival |

Samora explained that the April 18, 2017 City Council Meeting Minutes were not included in the packet and suggested that it be excluded from an approval motion.

Brown motioned to combine and approve the items on the Consent Agenda with the exception of item “b”. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

2. Whittington Agreement Cancellation (Theresa Casey)

Resolution 2017-25 cancelling an agreement for architectural services between the City of Salida and Sarah Whittington

Hallett stated that there was a complaint submitted by Tafoya regarding the agenda item.

Rogers motioned to approve Resolution 2017-25, a resolution of the City Council, City of Salida, cancelling an agreement for architectural services between the City of Salida and Sarah Whittington.

Brown-Kovacic seconded the motion.

Brown stated that there is another opportunity to improve the processes and procedures. Brown stated that action to cancel the contract should have been taken much earlier.

In a 5-1 roll call vote, THE MOTION CARRIED. Hallett had the dissenting vote.

- 3. Short-Term Business Licensing Amendment, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-06 an ordinance of the City Council of the City of Salida, Colorado, to repeal and replace Article VI, Chapter 6 of the Salida Municipal Code pertaining to Short-Term Business Licensing

Kaiser gave an introduction and provided background information.

Granzella clarified that it does not include the decision about the inspection.

Hallett stated that she would like to have the decision regarding what the inspection will be in place before approving the ordinance.

Brown asked what the plan is to bring the inspection issue to a closure. Kaiser stated that Patterson would have the information.

Brown-Kovacic reminded the Council that Patterson would be bringing the details on the inspection back at a work session and there would be a subsequent resolution.

Rogers asked when the moratorium will expire. Samora stated that the moratorium will expire on June 7.

Brown-Kovacic stated that it needs to be compliant with Ordinance 2017-07 and that all short term rentals will be in compliance with the Salida Land Use and Development code.

Hallett stated that she felt it was premature to finalize the ordinance and felt there is a lack of the ability to enforce the ordinance.

Bowers stated that he also felt it was premature.

Brown-Kovacic felt that the City should move forward with the item.

Hallett felt it would be more fair and would be easier to do it all at once.

Rogers agreed with Hallett

Brown stated he felt it was unwise to invoke an ordinance without knowing what the specifics will be. Brown suggested that perhaps it should have a date as of the next council meeting.

Brown motioned to continue the item until the May 16th, 2017 City Council Meeting. Bowers seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED.

- 4. Annexation of Snyder Property, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-10 annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Snyder Annexation

Kaiser gave an introduction and provided background information.

Bowers motioned to approve Ordinance 2017-10, an ordinance of the City Council, City of Salida,
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annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the Snyder Annexation and ordering the ordinance to be published by title only. Brown seconded the motion. With all in favor, **THE MOTION CARRIED.**

5. **Annexation Agreement for Snyder Annexation, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-11 approving the Snyder Annexation Agreement

Snyder gave an introduction and provided background information and explained the changes that the City Council made at the last meeting.

Brown-Kovacic motioned to approve Ordinance 2017-11, an ordinance of the City Council, City of Salida, approving the Snyder Annexation Agreement and ordering the ordinance to be published by title only. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

6. **Zoning of Snyder Annexation, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-12 zoning a part of certain real property known as the Snyder Annexation under the Residential Mixed Use Zone District with inclusion in the Highway 50 corridor overlay

Kaiser gave an introduction and provided background information.

Granzella motioned to approve Ordinance 2017-12, an ordinance of the City Council, City of Salida, zoning a part of certain real property known as the Snyder Annexation under the Residential Mixed Use Zone District with inclusion in the Highway 50 corridor overlay and ordering the ordinance to be published by title only. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

7. **Annexation of Heart of the Rockies Medical Center, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-13 annexing to the City of Salida a certain tract of land in unincorporated Chaffee County known as the HRRMC Annexation

Kaiser gave an introduction and provided background information.

Rogers asked for clarification on the height limit. Kaiser stated that the 35 foot condition is not in the ordinance and they can build to 54 feet.

Rogers motioned to approve Ordinance 2017-13, 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 HRRMC Annexation and ordering the ordinance to be published in full. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

8. **Annexation Agreement for HRRMC, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-14 approving an annexation agreement with Heart of the Rockies Regional Medical Center, for the annexation of certain real property into the City

Kaiser gave an introduction and provided background information.

Granzella motioned to approve Ordinance 2017-14, an ordinance of the City Council, City of Salida approving an annexation agreement with Heart of the Rockies Regional Medical Center, for the annexation of certain real property into the City and ordering the ordinance to be published by title only. Bowers seconded the motion.

Brown-Kovacic stated that she still had concerns about the removal of 5.13 regarding affordable housing. She felt that it should be in the annexation agreement in case the property exchanges hands in the future.

Brown stated that he disagrees with his colleagues. He stated that it adds an unknown restraint on the property. He did not feel it was proper or prudent.

Brown-Kovacic stated the point was not raised with the Snyder Annexation. She stated that the annexation agreement is the only opportunity to add the requirement.

Bowers stated that he felt the new owner would have to apply for rezoning if necessary.

Brown stated that in the Snyder annexation's owner did not raise any objection.

Mike Wilber stated that he represents HRRMC. He stated that he answers to a Board. He stated that there is not specificity in the clause 5.13 and he did not feel that the City would commit to a law that is yet to be written. He stated that the hospital has the same responsibility. Wilbur reminded the Council that a planned development is another opportunity to add the requirement. He stated that they have zero intention to let any of the property go to anyone but the hospital.

Brown-Kovacic stated that the property she is concerned about is the area that may have a nursing home facility.

Kaiser stated that the code did at one time require affordable housing at the annexation level. Kaiser stated that they would have to do a planned development and it would give the City say in what's going in.

Wilbur stated that they do not know exactly what is happening with the assisted care. He stated that any housing would be strictly employee housing.

Rogers stated that her major concern is the Medicare and Medicaid and there needs to be that level of care if such a facility is built.

With all in favor, THE MOTION CARRIED.

9. **Zoning of Heart of the Rockies Medical Center, 2nd Reading & Public Hearing** (Beverly Kaiser)
Ordinance 2017-15 zoning certain real property known as the Heart of the Rockies Medical Center (HRRMC) Lot 1-A Annexation as Commercial C-1 zone district

Kaiser gave an introduction and provided background information.

Granzella motioned to approve Ordinance 2017-15, an ordinance of the City Council, City of Salida, zoning certain real property known as the Heart of the Rockies Medical Center (HRRMC) Lot 1-A Annexation as Commercial C-1 zone district. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

10. **Court Clerk Appointment, 1st Reading** (Christian Samora)
Ordinance 2017-16 repealing and re-enacting Section 2-5-60 of the Salida Municipal Code regarding the appointment of the Municipal Court Clerk

Samora gave an introduction and provided background information. Samora explained that the Salida Municipal Code and State Statute do not currently agree and this ordinance would bring consistency between the Salida Municipal Code and State Statute.

Bowers motioned to approve Ordinance 2017-16, an ordinance of the City Council, City of Salida repealing and re-enacting Section 2-5-60 of the Salida Municipal Code regarding the appointment of the Municipal Court Clerk. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

11. **Modification to Scope of Work for City Attorney** (Guy Patterson)
Resolution 2017-26 Establishing protocol with regard with regard to City Attorney charges and project assignment

Rogers gave an introduction and provided background information.

Rogers motioned to approve Resolution 2017-26, a resolution of the City Council, City of Salida
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Establishing protocol with regard with regard to City Attorney charges and project assignment Brown-Kovacic seconded the motion.

Brown stated that each of the 43 line items in the existig scope of work are founded on the Salida Municipal Code, a prior resolution or some other authority. He stated that to add three paragraphs with no authority cited would not be consistent with the rest of the document.

Brown felt that the resolution was unnecessary, specifically regarding the \$5,000 limits.

Brown-Kovacic stated that State Statute makes the City Council responsible for the budget and she felt that was a foundation of authority. She stated that she did not feel there was any issue in flexibility.

Rogers stated that the previous attorney had similar language in his contract. Rogers also referenced similar language that is contained within Lee Phillips' contract.

Granzella asked if the Phillips contract was included in the packet. Granzella stated that he could support paragraph 46 with a \$15k limit.

In a 2-4 roll call vote, THE MOTION FAILED. Bowers, Granzella, Hallett and Brown had the dissenting votes.

12. Regional Transportation Planning Commission IGA (Guy Patterson)

Resolution 2017-27 approving an intergovernmental agreement for a Regional Planning Commission for transportation planning within the San Luis Valley Transportation Planning Region

Rogers motioned approve Resolution 2017-27, a resolution of the City Council, City of Salida approving an intergovernmental agreement for a Regional Planning Commission for transportation planning within the San Luis Valley Transportation Planning Region. Hallett seconded the motion.

Brown motioned to amend the first motion to continue the item to the May 16, 2017 City Council Meeting. Hallett seconded the motion.

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

With all in favor to continue the item, THE MOTION CARRIED.

13. Change in Location Application for KCK Ventures, Inc (Seasons) Liquor License (Christian Samora)

Samora gave an introduction and provided background information.

Granzella motioned to approve a change in location for the KCK Ventures, Inc at 300 W Sackett Avenue. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

14. Administrator/Deputy City Clerk

- City Administrator Report –Guy Patterson
There was a written report included in the City Council Packet.
- Deputy City Clerk Report – Christian Samora
Samora presented two separate requests. The first request was a fee waiver request for the Chaffee County Crime Stoppers meeting. The second request was to see if the Council was favorable to moving forward with a request from the Boathouse Cantina to have sidewalk seating. The City Council was favorable to both requests.

15. 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.

Brown-Kovacic stated that a GOCO planning grant has been awarded to sage generation. She stated that they are specifically working on assisted living that is affordable. She stated the group is working to develop a community survey and to set up focus groups as well.

- Mayor – Jim LiVecchi

LiVecchi thanked Bowers for the Lowry dedication work the dedication will be on May 27th at 4pm.

VII. NEW BUSINESS

Bowers stated that in setting the rock in Riverside they noticed the flag pole honors the veterans. He stated the pole is not in the best condition and suggested maybe doing donations to replace the pole. He stated that he contacted Jim Preston and he was in agreement to look into it. Preston has acquired a new pole, flag and a new light.

Bowers stated that he has been in contact with Sherwood and they would like to bring a V16 diesel truck along with one of the tractors. Samora explained the process to petition for the street closure. Bowers and Samora will coordinate a petition to meet the street closure requirements.

Brown-Kovacic asked if people would have enough space to exit the parking lot if needed.

LiVecchi stated that he has been sending emails from CML and was not sure they are receiving duplicate emails. The Council was fine with receiving them.

LiVecchi stated that the DOC is doing a great job and suggested that if they see the crews to thank them. Rogers stated that she spoke to them at Alpine park and they love being outdoors.

LiVecchi stated that he passed out a working protocol draft and there will be continued discussion. LiVecchi stated that the Council needs to have conversations about the attorney moving forward. He stated that Rogers has spent a lot of time and he is trying to get everything organized.

Hallett stated that she is impressed with the work that is being done on Hunt Street.

VIII. OLD BUSINESS

Granzella asked for the new agreement with the Scouts and to be sure the agreement makes its way to Patterson.

The Mayor and Granzella has a meeting with Terry Scanga regarding the Xcel proposal. Granzella stated that they needed to get that information to the rest of Council.

IX. ADJOURN –

Brown motioned to adjourn at 8:28 P.M. Bowers seconded the motion.

[SEAL]
Deputy City Clerk



James LiVecchi
Mayor