



MEETING OF THE CITY COUNCIL

City Council Chambers
 448 East 1st Street, Room 190
 City of Salida, Colorado
 Tuesday, October 3, 2017 6:00 p.m.

The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim LiVecchi

III. ROLL CALL

All elected officials were present.

IV. PRESENTATION

Introduction of New Police Officer, David Close – Terry Clark

Terry Clark introduced Officer Close and described his background. Officer Close was officially welcomed to the City.

A little Help Service Saturday Presentation – Nancy Powers

Nancy Powers described Little Help Services and their outreach plus the upcoming service Saturday on October 21, 2017. There are 32 members and about 70 volunteers, 30 on a given day. Brochures were given to Council.

County Housing Office Budget Item – County Commissioner Greg Felt

Commissioner Felt spoke about the HPAC program and proposed housing office. Felt described the role the hired administrator will take and spoke about the budget projection for Salida of \$22,773 (max). This is a community approach that is moving forward.

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.*

Ken Matthews, a resident of Salida, spoke of his support for what Mr. Felt spoke about and the HPAC and housing office. Concerns included the housing vs job ratio and that companies are not moving in the area due to housing shortages.

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Commissioner Keith Baker reinforced his support for HPAC IGA and the benefits of the program. There are mutual needs in the county. By establishing the Housing Office, the Administrator will live and breathe the job, therefore doing the best for the community.

Read McCullum clarified the housing needs assessment and stands behind moving forward with HPAC. Also wanted to let council know that a meeting is set up in Poncha Town Hall with a speaker who is currently the Housing Authority Director for Gunnison and who previously held that position in Summit County. Invites anyone to attend to ask additional question.

Page Judd of Salida, spoke of her support for housing. Stressed the importance that communities do not end at the town borders. Together the municipalities can have more options.

VI. SCHEDULED ITEMS

1. Consent Agenda – Larry Lorentzen

- a) Approval of Agenda
- b) Approval of Meeting Minutes – September 19, 2017
- c) 17th Annual Shed Fest
- d) Fire Department Open House and Street Closure

Rogers motioned to remove agenda “b” and place on next meeting agenda as corrections needed to add Council action at the conclusion of the second executive session, and to approve consent agenda items a, c, and d. The motion was seconded. With all in favor, THE MOTIONS CARRIED.

2. Appeal Planning Commission Decision, 419 D. Street – Ben Kahn

Appeal of Planning Commission Decision to approve the Beddingfield Conditional Use Application to operate an Events Center within the former Grace Church building at 419 D Street.

Mr. Kahn continued Appeal hearing to Council providing them with a written order including conclusions based on his perception of consensus of the Council members at the conclusion of the hearing at the previous meeting along with input from the Mayer - purpose of hearing is to discuss draft and affirm reverse or modify the conditional use approved by the Planning Commission. A decision is required by October 4, 2017.

Parking: REVERSES & MODIFIES the Conditional use Permit to state *“A parking agreement must be submitted showing at least 24 off-street parking spaces available for all events or a parking agreement must be submitted showing at least 24 off-street parking spaces available for any specific event - Rogers stated concerns regarding amount required for parking spaces. Brown-Kovacic wants to be consistent with other facility in City. Granzella states we should offer something better. Brown stated that in the evidentiary hearing record it identifies no more than 48 spots available through the City normally requires 75 based on occupancy. Hallett stated there is potential for a lot of vehicles. 18, 24, 36, and 48 are potential numbers.*

Alcohol/Cannabis: MODIFIES the Conditional use Permit to state *“Alcohol and cannabis consumption are prohibited at events on the premises. The Applicant can reapply for a new Conditional Use Permit after obtaining a change in use and appropriate license that may allow for alcohol and/or cannabis*

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consumption at events on the premises.” And “The Conditional Use Permit will automatically terminate without further action by the City if law enforcement reports a single incident of alcohol or cannabis consumption by a minor at an event on the premises.” - Rogers stated concerns that we may be overwriting what is already City regulations. Brown-Kovacic wants clarification on A2 and A3 Occupancy classification. Glen responded to this stating that the property in question is currently A3 and would need to follow those regulations. Any alcohol use would require a classification change request to A2.

Food: MODIFIES the Conditional use Permit to state *“No food may be prepared on the premises without obtaining proper licensing through the Chaffee County Department of Environmental Health.”* Need to abide by Department of Environmental Health.

Noise: MODIFIES the Conditional use Permit to state *“One of the Applicants must be present at the conclusion of all events on the premises that end after 8:30 pm to control related patron noise volumes.”, “Windows and doors will be kept shut during events on the premises that include music and/or amplification.”* and *“The Conditional Use Permit will automatically terminate without further action by the City if it is adjudicated that the Applicants or their patrons violated municipal sound ordinances”* - Rogers stated implication is they are not allowed windows/doors open for any noise. Wants it to say loud noise. Discussed noise regulations. Police would handle this area if necessary.

Hours of Operation: AFFIRMS the Conditional use Permit stating *“The structure shall not be used for event purposes prior to 8:00 in the morning.”* and REVERSES *“The hours of operation for indoor space are limited to no later than 9:00 pm Sunday-Thursday and no later than 10:00 pm Friday-Saturday.”* . in full agreement on no noise before 8 AM. Discussion held on evening hours. Hours recommended by staff recommendation are acceptable.

Outdoor Space: MODIFIES the Conditional use Permit to state *“The outdoor space shall not be used for event purposes prior to 9:00 in the morning.”* And *“The hours of operation for outdoor space are limited to no later than 6: 00 pm for any event.”* - Bowers stated no outdoor space should be used. Should be contained to respect neighborhood. Rogers stated it is good for kids from library to have option of being outside.

Bathroom Facilities: MODIFIES the Conditional use Permit to state *“Written confirmation must be obtained from the Chaffee County Building Department that there are adequate and accessible bathroom facilities for the proposed use and occupancy.”* - No discussion.

Insurance: MODIFIES the Conditional use Permit to state *“Applicants secure premises liability insurance coverage as policyholders or named insureds for events on the premises, with minimum coverage of one million dollars (\$1, 000, 000. 00) for any events involving minors.”* And *“Applicants construct a door or barrier at the top of any stairwell to the basement that is approved by the Chaffee County Building Department.”* - Brown-Kovacic asked if we tell other businesses or clubs what insurance they must have. Hallett stated it is not uncommon to have \$500,000 for insurance policies. Bowers stated it is not uncommon to have the large amount of insurance.

Enforcement: AFFIRMS the Conditional use Permit to state *“Change in occupancy must be obtained by the Chaffee County Building Department and be posted. Occupancy of the upstairs space will be limited*

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to the assigned occupancy number.” and “Inspections are required by the building and fire departments and all of their resulting requirements must be met.”; MODIFIES the Conditional use Permit to state “Change of use must be obtained by the Chaffee County Building Department and be posted. Use of the upstairs space will be limited to the approved use(s)”, “A code analysis by a Colorado Licensed Architect must be submitted in accordance with State law that includes the proposed use and occupancy, type of construction, detailed floor plan, and allowable/actual floor areas and that addresses fire protection, structural integrity, an existing plan, travel distance, handicap accessibility, occupant loads, number and type of plumbing. Fixtures and any other information appropriate for the proposed occupancy”, “Inspections are required by the public health department and all of their resulting requirements must be met” and “All events characterized as “private parties” must comply with the conditions in this Conditional Use Permit.” - No objections. Continue with County regulations.

Affordability: MODIFIES the Conditional use Permit to state “Applicants shall submit a rate schedule for non-profit gatherings on the premises that is binding during the term of the Conditional Use Permit.” - Rogers stated we should not regulate their rate schedule. Hallett agrees but pointed out it was addressed as a major concern in the hearing.

Miscellaneous: AFFIRMS the Conditional use Permit to state “This approval is for the applicant only; no other entity may own or manage The Church Event Center without first obtaining a conditional use approval.”, “All of the above conditions must be satisfied prior to resuming operations as an event center.”, and “The conditional use approval is valid for 1 year. The applicants must reapply in one year if they want to continue the use as an Event Center.” - Discussion was done regarding the name that was applied by the City and if it is the proper name.

Brown-Kovacic motioned to grant the conditional use with the given modifications accept that modification for parking spaces be made to 24 and that the hours of operation be modified to 9 pm Sunday to Thursday and 10 pm Friday and Saturday. Rogers seconded the motion. THE MOTION PASSED in a 4-3 roll call vote with Bowers, Brown and Hallett dissenting and Mayor LiVecchi voting in favor to break tie.

3. FEMA Flood Insurance Study – 1st Reading - Larry Lorentzen

Ordinance 2017-22 adopting new FEMA Flood Insurance Study effective October 17, 2017.

Larry described the new FEMA Flood Insurance Study stating there are no changes to the floodplain boundaries within Salida.

Brown motioned to accept the First Reading of Ordinance 2017-22, an Ordinance of the City Council of the City of Salida, Colorado, to amend Article 11, Chapter 16 of the Salida Municipal Code, adopting the FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE STUDY FOR CHAFFEE COUNTY, COLORADO AND INCORPORATED AREAS, Effective date December 7, 2017, on first reading and to set the second reading and public hearing for October 17, 2017. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

4. Fee Schedule Update – Michael Varnum

Resolution 2017-54 - Steam Plant Event Center Fees and Scout Hut Fees Update.

Michael Varnum explained that fees have not been updated for 10 years and why he feels the need to address them now.

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Bowers asked how the changes affected the Scouts. Michael stated there are no changes as the Council previously approved no charges to Scout usage.

Hallett expressed concerns including the cost of using city facilities for community programs as it was definitely brought up again during the recent Appeal process. Hallett believes if the City pays for these facilities there should be some kind of local discount for community committees that like to use the Steam Plant facility.

Hallett's second concern involves cleanup of the event. Is the City maintaining them or not? Michael stated that the City maintains them with the new contract.

Hallett's third concern is that we need to offer services so the people are not scrambling to go private. There should be a benefit of being a citizen of Salida. That benefit should be that citizens are able to have use of our City facilities at a reasonable rate. Hallett would like to get community input and be able to re-evaluate all City facilities down the road.

Brown-Kovacic has the same concerns as Hallett and suggests \$25 upstairs and \$20 downstairs for the same reason. Since there have been extensive donations from residents, Brown-Kovacic thinks that lower rates would be a way to show respect for all that the community has contributed to the renovations.

Rogers believes this should be looked at during budget meetings.

Brown-Kovacic motioned to accept the fee schedule in Resolution 2017-54, a resolution of the City Council of the City of Salida, Colorado, adopting a revised fee schedule for the Steam Plant Event Center and Scout Hut, with a modification of the Scout Hut main floor, no setup at \$25 an hour and the lower level, no setup at \$20 an hour. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

5. IGA Recognizing HPAC - Larry Lorentzen

Resolution 2017-56 - An Intergovernmental Agreement between Chaffee County, Salida, Buena Vista & Poncha Springs establishing and issuing responsibility and authority to the Housing Policy Advisory Committee (HPAC).

Rogers motioned to approve Resolution 2017-56, a Resolution approving an Intergovernmental Agreement between Chaffee County, the City of Salida, the Town of Buena Vista and the Town of Poncha Springs establishing the Housing Policy Advisory Committee. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

6. Lien Certification List-2017 – Renee Thonhoff via Larry Lorentzen

Resolution 2017-57 – certification of Delinquent Accounts to Chaffee County

Larry explained the report to Council.

Brown motioned to approve Resolution 2017-57, a resolution certifying delinquent water, sewer and special charges to the Chaffee County Treasurer to be added to the 2017 tax role authorizing the Mayor and City Clerk to sign the Order. Granzella seconded the motion. With all in favor, THE MOTION CARRIED.

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- 7. Authorizing City Administrator Signature for WTP State Revolving Loan – Larry Lorentzen**
Resolution 2017-58 – Resolution authorizing Larry Lorentzen to replace Guy Patterson as Authorized Officer on the Colorado Water Resources and Power Development Loan for the Water Treatment Plant UV Project.

Granzella motioned to approve Resolution 2017-58, a resolution of the City Council of the City of Salida, Colorado, amending the City Administrator name on the Colorado Water Resources and Power Development Loan #D17F382. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

- 8. Pre-annex Agreement Resolution – Glen Van Nimwegen**
Resolution 2017-59 – Approving the First Amendment to the Pre-Annexation and Water Main Extension Agreement for the Granzella Property

Granzella removed himself from the Council panel during discussion and motions. Glen explained this was an amendment to two paragraphs to allow the addition of a sewer tap.

Rogers motioned to approve Resolution 2017-59, a resolution approving the First Amendment to the Pre-Annexation and Water Main Extension Agreement for the Granzella Property. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

- 9. Water Treatment Plant Disinfection Project – David Lady**
Resolution 2017-60- to Accept Water Treatment Facility Disinfection Improvements Project Change Order No. 1.

Rogers motioned to approve Resolution 2017-60, a resolution to increase the construction budget to \$2,091,476.35 and accepting Change Order No 1 for the 2017 Water Treatment Plant Facility Disinfection Improvements Project. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.

- 10. Fred Lowry River Park Maintenance Project Award – David Lady**
Council Action Resolution 2017-61 and Award Fred Lowry River Park Maintenance Project, Project No 2017-022.

Bowers motioned to approve Resolution 2017-61, a resolution to approve the budget amendment and authorize the City Administrator to enter into a Construction Agreement between the City and Lowry Contracting, Inc., not to exceed \$26,500.00. Granzella seconded the motion. With all in favor, THE MOTION CARRIED.

11. Administrator/Deputy City Clerk

- City Administrator Report – Larry Lorentzen

Larry announced the new Deputy City Clerk begins on October 4, 2017.

Larry thanked all City Hall employees for their extra work during the last few weeks and thanked Monica for helping out with the Council meetings.

Larry advised the Council that the next Work Session would include the budget review. It will be a fairly rough draft form as the City has not received the final figures from the Auditors for 2016.

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Councilman Brown advised that he spoke to the Auditors who promised to have a draft to the City by Friday, October 6, 2017. The Auditors will present the audit at the next meeting October 17, 2017. The Firm have expressed interest in being a financial Consultant for the City if needed. Councilman Brown will direct them to contact Larry Lorentzen.

Larry advised that, along with Betty Schwitzer, the election ballot information has been completed and approved by the County Clerk. There was one con statement for the TABOR BALLOT QUESTION submitted and no pro statements.

12. Elected Official Reports

- City Clerk – Betty Schwitzer - none
- City Treasurer – Theresa Cortese - none
- City Council – Michael Bowers, Hal Brown, Cheryl Brown-Kovacic, Rusty Granzella, Melodee Hallett and Eileen Rogers.

Brown-Kovacic stated that community members would like to see the diversion for trucks from 291 made permanent. City employees have advised her that it is a State Highway.

Brown-Kovacic stated that stated that the Third and D intersection still needs look at to establish if a four way stop can be installed. Larry advised that per the Police Department, a traffic survey would be needed. Brown-Kovacic would like this placed on the next work session for discussion.

Rogers expressed her concerns about the lack of invoices from Mr. Kahn to the City for reimbursement and that procedures should be changed.

- Committee Reports - none
- Mayor – Jim LiVecchi - none

VII. NEW BUSINESS

Brown advised Council that a the firm Clifton Larsen Allen which has consulted with the Audit Committee in the past has expressed interest in consulting with the City regarding finance issues. He felt this was a good idea due to the Cities limited staff. Larry advised that we would still need a financial director to manage the financial department staff but that outsourcing could be a solution to minimize the need for a new HR person. Discussion will follow with the City Administrator and the Consultant.

VIII. OLD BUSINESS

Bowers expressed concern about a pedestrian accident on Hwy 50 and the need to get the sidewalk extended in that area. Would like follow up with CDOT to see about getting the extension done.

Granzella advised that the parking committee was advised that parking is available behind Amica's. Hilton Lumber wants to do a land trade for parking. Bonnie McDonald also has land she wished to lease. Granzella brought up the possibility of putting money in the budget for use to acquire parking.

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IX. ADJOURN

Bowers motioned to Adjourn the Council Meeting. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

The Meeting adjourned around 9:00 P.M.

Deputy Lynda Inaus
City Clerk

 [SEAL]
SEAL
James L. Leckie
Mayor

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