



**MINUTES REGULAR MEETING
CITY COUNCIL CHAMBERS
448 E. 1st Street**

Salida, Colorado

May 3, 2011

6:00 p.m.

The meeting was called to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE -

Led by Mayor Pro-Tem Tom Yerkey.

ROLL CALL -

Present at roll call were Mayor Pro-Tem Tom Yerkey and Council Members Keith Baker, Scott Damman, Jim McCormick, and Jay Moore. Also present were City Clerk Betty Schwitzer, City Administrator Jack Lewis, Assistant Deputy City Clerk Jennifer Orr and City Attorney Karl Hanlon. Absent were Mayor Chuck Rose, Council Member Steven Stewart and City Treasurer Eileen Rogers.

CITIZEN PARTICIPATION -

Mayor Pro-Tem Tom Yerkey called the first person to the podium.

Mike Wilbur, attorney for Tim Pollack, who is the financier of the Unique came to update City Council. He explained to Council that his client has not hit the date markers that he had intended, but assured Council that by Friday May 6th Mr. Pollack will have all met all of the major requirements. Contractors will start work on Thursday morning. Mr. Wilbur spoke with DSI, who has sent in a contract, and just has a few more things to work out. DSI assured him that DSI can do the work on the demolition of the back. They will have all of the environmental protection in place. Mr. Pollack has accepted the deed in lieu of foreclosure from Salcat. Mr. Pollack got the deed, but took it as an LLC. Using an LLC which means Mr. Pollack is still liable, even though the deed in name of LLC. It is the first step in foreclosure proceedings with Salcat.

City Attorney Hanlon added that the DSI contract will be late. The foreclosure proceedings are also late. Hanlon explained to Council that no decisions are necessary at this point. Progress is being made, but it needs to continue to move forward.

Jim Miller, of Salida, had three suggestions for Council. His first issue was in regards to water restrictions that Council will be discussing later in the meeting. Mr. Miller encourage Council to get the message out on the reason the City may not do water restrictions. He suggested that Councilor Moore do an article to get the word out. Secondly he suggested that Council consider waiving half of the park fee for true non-profits. That will show support, but allow the City to cover some of the cost. Thirdly, Mr. Miller wanted City Council to consider having a dialog with the businesses that are affected by the marijuana ordinance. He suggested that Council come up with a better ordinance to better reflect the interests of the citizens.

Kat McQuillan, medical marijuana dispensary owner in Salida, answered a question posed by Councilor McCormick at the last council meeting. She said she was here to represent clientele, investors and her

providers. She has been in business over one year. Ms. McQuillan believes that there is a need for services here, and that those businesses can stay in compliance with all state regulations. She states that the businesses want to grow locally. She hears every day the needs of the patients. She added that she has tried to engage in open conversation, but never has been asked to sit at the table with Council. She has shown up on numerous occasions to meetings. Ms. McQuillan emphasized that Council's decision directly affects the health of the citizens.

Attorney Hanlon reminded the audience that there will be a public hearing on May 17th.

Coleen Kunkle, co-owner of Tenderfoot Health Collective, explained that the County is grandfathering in two businesses (that were growing in non-industrial zone). Chaffee County approved grow operations and infused product centers in industrial zones. Her business has been approved by the Planning Commission twice now. However, this Ordinance would change what she is allowed to do. She is exhausted working with Council. No Council Members have come to the centers to see the kind of business she runs.

Martin Woods, owner of Nature's Medicine, explained that the Ordinance does not affect him as much because he grows his marijuana in Boulder County. He does not believe that there is a good space in the City for commercial grow operations.

Mayor Pro-Tem Yerkey added that Council has the challenge of regulating marijuana, especially with regards to patient care.

I. PRESENTATION –

1. PROCLAMATION Bike to Work Day – presented by Mayor Pro-tem Tom Yerkey to Lisa Malde, of LiveWell Chaffee County. Lisa Malde spoke. Ms. Malde repeated the mission and specific programs. Since Council recently turned down LiveWell's request to put a garden in a neighborhood park, they have gone on to apply with the School District to have a garden and greenhouses.

2. PROCLAMATION Arbor Day 2011 – presented by Mayor Pro-tem Tom Yerkey
May 12, 2011 was proclaimed Arbor Day in the City of Salida.

II. SCHEDULED ITEMS

- a. **Consent Agenda**
- b. Approval of Agenda
- c. Approval of Minutes:
- d. City Property Requests: 1.) Mountain States Cup Challenge 2.) Salida Bible Church
3.) Vapor Trail
- d. Special Events Liquor Permit: 1. Crest Crank
- c. Final settlement with Top Line Installer, Inc., for the Water Galleries Tank Liner project.

c. **Property use requests:**

- 1.) Mountain States Cup-

Keith Darner, Organizer of the Mountain States Cup Series, is requesting to use City streets and the Salida Mountain Trail System to hold, the Salida Mountain Bike Stage Race on, May 20-22, 2011 The race through downtown will take place on Saturday from 10:30 a.m. – 3:30 p.m. A diagram of the requested street closures is included in the packet.

Please note: There will be three events on Saturday, May 21, 2011 using the Riverside Park area. The organizers for the Cruiser Crit and the Arkansas River Community Clean-Up Green –Up and the Mountain

States Cup are working together to coordinate efforts for the success of all of these events.

2.) **Salida Bible Church-**

John Christiansen, Pastor of Salida Bible Church is requesting to use Riverside Park to hold Salida Bible Camp Meeting on Sunday, June 26, 2011 from 9:30 a.m. to 5:00 p.m. There are no street closures, but they are requesting an amplified sound permit.

3.) **Vapor Trail –**

Absolute Bikes is requesting to use streets to hold the 8th Annual Vapor Trail 125, on September 10 & 11th. The event will start at 10:00 p.m. on Saturday, September 10th, 2011. Some riders will finish in the afternoon of the 12th; others will finish in the evening of the 12th. There are no street closures requested for this event.

d. Special Events Liquor Permit-

The Alliance Against Domestic Abuse (AADA) is requesting to hold the 13th Annual AADA Monarch Crest Crank in Riverside Park on Saturday, August 21, 2011 from 10:00 a.m. to 7:00 p.m.

The request includes a Special Events Liquor Permit. The property was posted and to date no comments either opposing or supporting the event have been submitted. A public hearing is not required if no comments are received. The applicant will be responsible for following all state and local liquor laws. The applicant is only distributing alcohol to participants of this event.

e. Final settlement with Top Line Installer, Inc., for the Water Galleries Tank Liner project.

The request is to authorize final payment to Top Line Installers, Inc. for the work they performed for the 2011 Water Galleries Tank Liner Project. The final payment is for \$8,193.40.

The City of Salida went to bid in November 2010 for a project to line one of the city's water storage tanks. This was the second phase of the project to rehabilitate the Water Galleries tank. The work of this project consisted of applying a NSF61 rated reinforced polypropylene liner to the existing 1.25 million gallon underground concrete tank. Bids were received by the City of Salida until December 21, 2010. Three bids were received and the project was awarded to Top Line Installers, who submitted the lowest bid.

The project was completed during February and March. The Water Plant Manager and Schmueser Gordon & Meyer conducted a final inspection and agree the project was completed satisfactorily. Notice of Final Settlement was published in the Mountain Mail beginning on April 15, 2011 and was published on different five dates. The City has not received any notice of claims against Top Line Installers and therefore requests authorization to make final settlement.

Councilor Damman made a motion to combine and approve the consent agenda. Councilor Baker seconded the motion. With all in consensus, **THE MOTION CARRIED.**

2. Mutual Aid Agreement for Emergency Management –

Resolution 2011- 26 approving a Mutual Aid Agreement for Emergency Management between the City of Salida and Chaffee, Custer, Fremont, Lake And Park Counties' Offices of Emergency Management.

Fire Chief Don Taylor presented written materials included in the packet.

Jurisdictions across the United States utilize mutual aid assistance in the event of a large scale incident or disaster. After the regional emergency management exercise held in June of 2010, one of the areas of concern was the development of formal mutual aid agreements with agencies Offices of Emergency

Management inside and outside of Chaffee County. This provides additional emergency management support in the event of a large scale incident or an incident which extends beyond one operational period.

The mutual aid agreement is the same template utilized for agreements with fire agencies within Chaffee County, Fremont, Lake, Park and Custer Counties.

Damman made a motion to approve RESOLUTION 2011-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY AND CHAFFEE, CUSTER, FREMONT, LAKE AND PARK COUNTIES' OFFICES OF EMERGENCY MANAGEMENT. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Rusty Granzella pre-annexation agreement – (Dara MacDonald)

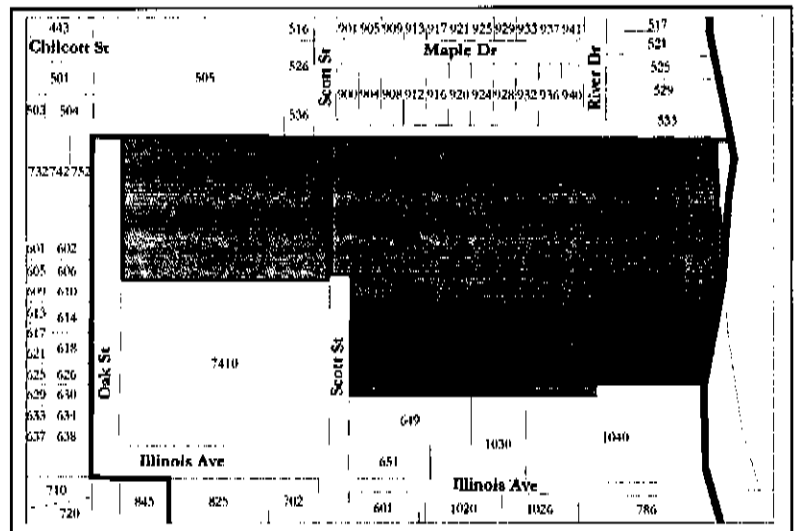
Resolution 2011- 27 authorizing the Mayor to enter into a pre-annexation and water main extension agreement for the Granzella property.

Dara MacDonald, Community Development Director, presented materials included in the packet for the record.

The request is for approval of a pre-annexation and water main extension agreement between the City of Salida and Russell and Tangie Granzella, owners of the property located at 611 Oak Street, 507 Scott and 547 Scott Street.

The applicants are Russell and Tangie Granzella.

The subject property is 10.79 acres in size, located at 611 Oak Street, 507 Scott and 547 Scott Street. The property includes residences at each of the three addresses. The property is located outside of the municipal boundary, but is within the Municipal Services Area. A complete legal description is attached to the agreement.



The applicants would like to complete conversion of the residence at 547 Scott Street into a duplex unit. The property is currently served by a well and municipal sewer. They are within 400' of a water main and are required to connect to municipal water as part of their project. There is an 8" water main in Scott Street north of the subject property. The applicants will also need to obtain a Special Land Use permit from Chaffee County prior to obtaining a building permit for the duplex.

Because the proposed development at this time is limited, staff has recommended a pre-annexation and water main extension agreement be executed. The proposed agreement states that the owners will apply for annexation prior to obtaining any additional building permits or land use permits in the future as detailed in Section 4 of the attached agreement. Prior to annexation they will be treated as in-City water and sewer customers for the duplex at 547 Scott Street.

The applicants have no plans for further development of the property at this time beyond the duplex previously discussed.

Damman made a motion to approve RESOLUTION NO. 27, 2011, A RESOLUTION OF

THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AUTHORIZING THE MAYOR TO ENTER INTO A PRE-ANNEXATION AND WATER MAIN EXTENSION AGREEMENT FOR THE GRANZELLA PROPERTY. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

4. Medical Marijuana regulations –

Ordinance 2011- 05 adopting a new Article III to Chapter 6 of the Salida Municipal Code regarding Medical Marijuana Licensing and amending Sections 16-1-80, 16-5-20, and 16-5-40 of the code regarding Medical Marijuana zoning regulations.

City Attorney Karl Hanlon presented written materials included in the packet.

He acted based on direction from Council in January to draft legislation regarding medical marijuana licensing and zoning regulations before the statewide moratorium for new medical marijuana uses expires on July 1, 2011. Tonight is the first reading. May 17th will be second reading for public comment.

Hanlon explained some of the high points of the Ordinance. It only permits dispensaries; grow and manufacturing of infused products are banned in the City. The Ordinance limits caregivers to 6 plants or 12 if two care givers are living together. It also limits grow operations for care giver to the C1 district. Hanlon reminded Council that medical marijuana is still illegal under Federal law. The US Attorney General says they are not going to go after the states; states need to regulate themselves. However, prior administrations had continued to enforce the federal regulations. Council has been clear that new regulations would be adopted. The City was only issuing conditional permits, so that when regulations adopted, the conditional use permits would be terminated. In addition, staff has been abundantly clear with the risks of changing operations and making sure the operators were clear of those changes.

The State of Colorado has categorized medical marijuana uses into four categories. Each use is addressed separately in the proposed land use code amendment. These uses include Medical Marijuana Centers, Infused Products Manufacturing, Optional Premise Cultivation, and Patient or Primary Caregiver.

MEDICAL MARIJUANA LICENSING BACKGROUND:

With passage of House Bill 10-1284, the Colorado legislature adopted the Colorado Medical Marijuana Code at §§12-43.3-101, *et seq.*, C.R.S. (“CMMC”) and amendments to the fee collection and patient registry provisions at §25-1.5-106, C.R.S., among other items. City staff feels that significant benefits exist for local licensing and regulation of medical marijuana related to enforcement, fee and penalty collection, including oversight of the industry in the interest of the public health and safety of the citizens of Salida.

The CMMC allows for local licensing of medical marijuana effective July 1, 2011. A local application form will be provided by the local authority. In section 6-3-30 this ordinance establishes the Local Licensing Authority as the City Administrator. The City Clerk shall assist the Local Licensing Authority by receiving all applications, coordinating with other city officers and departments when necessary.

Fees will be non-refundable and will be established by resolution of the City Council. Applicants will be subject to background checks, including fingerprinting and will be responsible for the actual cost of the investigation, including any outside professional costs incurred by the City related to the application.

Section 6-3 70 outlines approval or denial processes for the Local Licensing Authority. Notice of Decision must be mailed to the applicant by regular mail. An applicant has the right to appeal the Local Licensing Authority's denial or conditional approval to the City Council by filing a written request to the City Clerk within twenty (20) days of the date of the notice of the decision.

MEDICAL MARIJUANA ZONING BACKGROUND:

During the April 19, 2011 work session, City Council reviewed the proposed ordinance prepared by the City Attorney with staff. Direction was given to staff to on how to treat each of the medical uses under the new State legislation in the Salida Municipal Code.

Currently the Salida Municipal Code only addresses Medical Marijuana Dispensaries, now defined as Medical Marijuana Centers, as a permitted use in the C-1 zone district provided it is not located within 500 feet of a school. The new code language would amend Section 16-5-40(g) to permit Medical Marijuana Centers in the C-1 zone district provided they are not located within 1,000 feet of a school or within 1,000' another medical marijuana center and they are in permanent fixed location.

The proposed language would not allow infused products manufacturing and optional premise cultivation in any zone district within the city.

Patient and primary caregivers would be regulated in all the zone districts to be allowed to grow marijuana only inside a primary residence or accessory structure for their patients or themselves. As proposed, they would be permitted to grow up to six (6) plants at a primary residence with a maximum of twelve (12) plants if more than one patient or primary caregiver resides within the residence. A patient or primary caregiver wishing to grow more than six plants at a time could only do so in a commercial structure in the C-1 zone district.

During the April 25, 2011 Planning Commission public hearing regarding the possible zoning regulations, the Planning Commission made several recommendations to the proposed ordinance. The first recommendation was to eliminate the review standard for caregivers that stated, "The smell or odor of marijuana growing within the primary residence shall not be capable of being detected by a person from any adjoining lot, parcel or tract of land not owned by the owner of the primary residence, or from any adjoining public right of way." Staff agrees that this standard would be difficult to enforce because there is no quantifiable way to measure odor and the review standard has been removed from the proposed ordinance. Also at the recommendation of the Planning Commission the word 'readily' has been added to the following review standard: "The growing, cultivation, and processing of medical marijuana shall not be **readily** perceptible from the exterior of the primary residence." The Planning Commission expressed concerns about the difficulty of enforcing this standard.

Other recommendations from the Planning Commission that have not been included in the proposed ordinance were to allow optional premises cultivation operation and infused product manufacturing operation as a conditional use in the Commercial (C-1) zone district and as permitted in the Industrial (I) zone district. They cited that the conditional use review standards for the two optional operation premises cultivation applications that were reviewed by the Planning Commission last year were adequate to deal with possible nuisances associated with this use and the security regulations imposed for the licensing though the state would abate other possible security concerns.

The minutes from this meeting were included in the packet for review.

Damman made a motion to approve ORDINANCE 2011-05 ADOPTING A NEW ARTICLE III TO CHAPTER 6 OF THE SALIDA MUNICIPAL CODE REGARDING MEDICAL MARIJUANA LICENSING AND AMENDING SECTIONS 16-1-80, 16-5-20, AND 16-5-40 OF THE CODE REGARDING MEDICAL MARIJUANA ZONING

REGULATIONS on first reading, setting a public hearing for May 17, 2011 and ordering the ordinance to be published in full. Moore seconded the motion.

Discussion followed.

Damman wants to fill in a few holes for the citizens. The County Commissioners publicly waited for the City to make a decision. He also believes that Council has heard from the business, contrary to earlier citizen input. Council is attempting to have a balance between banning it and having large grow operations and dispensaries. Damman reminded the citizens that the medical marijuana industry is in its infancy. Regulations around it have changed and will continue to change in the future.

Councilor Baker added that he thinks there has been tons of conversation on this topic, though he admitted that he has not visited the locations.

Moore added that Council has another 2 weeks to hear comments. He believes that Council is trying to do what is best based on inheriting a mess from the State.

With all in consensus, THE MOTION CARRIED.

The City will add a fee structure after the second reading.

5. Salida Municipal Code repeal and reenactment – 1st Reading

Ordinance 2011-08 Chapter 1, General Provisions

Jan Schmidt, Finance Director, presented written materials included in the packet. These Ordinances, if passed on second reading, would be effective in mid-June.

The request is for council to repeal and reenact four chapters of the Salida Municipal Code (the Code). This cover memo addresses four agenda items each relating to a separate chapter of the Code. If approved, these existing chapters of the Code will be repealed and replaced with the language provided in Ordinances 2011-8, 9, 10 and 11.

If passed on first reading, the public hearing will be scheduled for May 17th. If the ordinances are passed on second reading, they will become effective in mid June.

Earlier this year, the City began a project to re-write the Code. Two of the primary goals of this project are to increase the relevance of the Code by removing obsolete regulations and improve operating efficiency.

Before approving the 2011 budget, City Council asked staff to review the work performed in each department. We are looking at both “what” and “how” staff time is spent on a daily basis and how our work helps the community. If time is being spent enforcing codes or performing tasks that really aren’t considered important to the community, we will consider eliminating or changing them.

The chapters presented for approval at this meeting were chosen as priorities either to make specific changes or because they provide a background upon which other chapters will reference. This cover memo highlights the key changes in each new chapter.

Chapter 1, General Provisions & Chapter 2, Administration and Personnel

Chapter 1 adds hearing procedures and administrative citations.

Chapter 2 streamlines procedures, eliminates some statutory provisions that do not need to be spelled out in the Code. Other specific changes include the following:

- Eliminates the article on Fire Department staffing which are either beyond the scope of the Code or relate to specific duties (topics for the personnel manual or department operating procedures).
- States that the Planning Commission will serve as the Board of Adjustment.
- Combines the creation procedures for various Boards in a single article.

Other changes to Chapters 1 and 2 of the Code fall into the “administrative cleanup” category of our Code revisions. In general, chapter 1 includes definitions, general procedures and penalties that apply to all areas of the Code. Similarly, Chapter 2 includes general information about the operation of the municipal government and duties of key members of staff, boards and commissions. The differences between the old and new versions of these chapters generally do not change how the municipal government operates. Rather, the language is updated to clarify provisions, improve operating efficiency and provide consistency across all areas of the Code.

Chapter 4, Revenue and Finance

The most substantive change in Chapter 4 is the repeal of the vendor fee for businesses collecting sales tax in the city. The repeal of this 3-1/2% fee will increase general fund revenue by approximately \$100,000 annually. Seven large chain and utility companies would be affected by more than half of the total amount. The remaining retailers would be affected by about \$80 annually on average. (This assumes 600 active retailers as reported in the state’s sales tax database). The state and several local jurisdictions have repealed the fee to increase funds, with the justification that automated systems have reduced the burden placed upon vendors to collect and remit sales tax. If approved by the council, the change will go into effect July 1st of this year.

Chapter 4 also describes a process for dealing with abandoned property that was updated to better reflect current practices in the Police Department and to provide more appropriate dollar thresholds.

References to sections of the Colorado Revised Statutes that had been superseded were updated.

Descriptions of funds used for accounting purposes and processes related to the custody of money were streamlined.

Chapter 11, Municipal Utilities

The water and wastewater utilities chapter was the first to be addressed in this project given how great the opportunity was to make it easier to interpret and apply. Numerous work sessions were held to discuss various provisions of this chapter. We appreciate the input we received from a handful of residents who attended one or more of those work sessions.

We significantly streamlined the chapter by removing redundancies between water and sewer provisions, eliminating administrative details and removing fees (which will be set by resolution of the council in the future).

Substantive changes in Chapter 11 include the following:

- A provision for abandonment of unused taps is being proposed. Fees paid, less 3% to cover administrative costs, will be refunded if a request is made within 90 days of the abandonment. Otherwise, the physical tap must be made and service fees must be paid to keep the tap. If any property owners believe they own a tap from years ago that was never connected to the system, they may be

eligible for a refund of fees paid. To keep the tap, it must be connected and the owner must begin paying the service fees.

- Properties served by a well, private sewer line or septic system will only be required to connect to the city's water or wastewater system upon failure or a major expansion of existing structures served provided the property is within 400 feet of a city line. (Under the current Code, a change in ownership also triggers a requirement to connect.)
- Billing practices will be administrative policies rather than part of the Code. This will, for example, allow a change from quarterly to monthly billing at some point in the future. It would also allow for a change in the timeline for mailing bills and assessing late charges.
- Fees are removed from the Code but are still set by council. Approval by resolution rather than ordinance shortens the timeline for making changes and reduces costs.
- Specific fines and penalties were removed and are covered under Chapter 1, General Provisions.
- Many general definitions were removed and are covered under Chapter 1, General Provisions.

Staff would suggest passing each of the ordinances.

Moore made a motion to approve ORDINANCE 2011-08, AN ORDINANCE OF THE CITY OF SALIDA, COLORADO REPEALING AND REENACTING CHAPTER 1 OF THE SALIDA MUNICIPAL CODE, GENERAL PROVISIONS and ordering the ordinance to be published in full. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Salida Municipal Code repeal and reenactment – 1st Reading

Ordinance 2011-09 Chapter 2, Administrative and Personnel

Damman made a motion to approve ORDINANCE 2011-09, AN ORDINANCE OF THE CITY OF SALIDA, COLORADO REPEALING AND REENACTING CHAPTER 2 OF THE SALIDA MUNICIPAL CODE, ADMINISTRATION AND PERSONNEL and ordering the ordinance to be published in full. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Salida Municipal Code repeal and reenactment including a repeal of the sales tax vendor fee– 1st Reading

Ordinance 2011-10 Chapter 4, Revenue and Finance

Baker made a motion to approve ORDINANCE 2011-10, AN ORDINANCE OF THE CITY OF SALIDA, COLORADO REPEALING AND REENACTING CHAPTER 4 OF THE SALIDA MUNICIPAL CODE, REVENUE AND FINANCE and ordering the ordinance to be published in full. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

8. Salida Municipal Code repeal and reenactment – 1st Reading

Ordinance 2011- 11 Chapter 13, Municipal Utilities.

Damman made a motion to approve ORDINANCE 2011-11, AN ORDINANCE OF THE CITY OF SALIDA, COLORADO REPEALING AND REENACTING CHAPTER 13 OF THE SALIDA MUNICIPAL CODE, MUNICIPAL UTILITIES and ordering the ordinance to be published in full. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

9. Water Restrictions discussion (Jack Lewis)

Resolution 2011-28 declaring and implementing water conservation measures.

City Administrator, Jack Lewis, suggested to Council to pass the resolution in front of them, which states that the City is asking for voluntary water conservation. Within the City, there is a reluctance to enforce the mandatory conservation measures that have been in place in the past. Mr. Lewis has faith that the citizens will do the water restrictions voluntarily and the City will not have to go to mandatory measures. If the voluntary measures do not work, then the City will be unable to have the capacity to produce enough water in a short period of time. The issue is being able to produce the water and have the pressure needed. That won't work if everyone is watering at the same time. The City asks that citizens maintain the every other day watering based on their house number. Even numbered houses would water on even days of the month and odd numbered addresses would water on odd days of the month. No one would water on the 31st of the month. No one should water between 10am and 4 pm because on hot days you lose 50% of your water from evaporation. By enacting this resolution, Council is putting in voluntary water restrictions.

Damman made a motion to approve RESOLUTION 2011-28, A RESOLUTION OF THE CITY OF SALIDA, COLORADO DECLARING AND IMPLEMENTING VOLUNTARY WATER CONSERVATION MEASURES. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

10. Administrator/City Attorney/Deputy City Clerk

a. Administrator's Report – Jack Lewis

Mr. Lewis explained to Council that the debt hearing discussion will take place at the next meeting.

Mr. Lewis had three things to review with Council.

1. Mr. Lewis asked a member of Council to make a motion to direct staff to work with SPOT (Salida Parks Open space and Trails) to try to get additional trail work done at the Oswald soccer field. SPOT is applying for a special GOCO grant that would pay Southwestern Conservation youth core \$5,000 to do some local projects. Mr. Lewis believes that staff would be happy to help with this application. SPOT will also pay for the bridge crossings.

Moore made a motion TO DIRECT STAFF TO WORK WITH SPOT TO APPLY FOR A GOCO GRANT THAT WOULD ALLOW SOUTH WESTERN YOUTH CONSERVATION CORE TO BUILD SOME TRAILS TO THE BEN OSWALD SOCCER FIELDS. Damman seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Early today a representative from the Alliance Against Domestic Abuse (AADA) asked Council to waive the park fees for the Crest Crank, which will be held at Riverside Park on August 21, 2011. The park fee is \$100 for the day.

Moore pointed out that this is a new event brought here from somewhere else. He stated that by waiving the fee, it would encourage a new event here.

Damman explained that AADA serves 750 people in Chaffee County on a shoe string budget. The Crest Crank is a fun ride with multiple events.

Baker added that he likes to encourage a new event coming to the City.

Moore made a motion to waive the park fee for the AADA for this particular event for the year 2011. Damman seconded the motion. With all in favor, THE MOTION CARRIED.

3. The City of Salida would like to enter into an agreement with Cripple Creek Mountain Estates to lease to them 42 acre feet of water during the year. In the past we have charged \$85 per acre foot. Water Department head Oversole has negotiated to \$100 per acre foot. Mr. Lewis suggested that Council direct staff to enter in to this lease agreement. Mr. Lewis explained that this particular water comes from the North Fork and is exchanged in Pueblo.

Moore made a motion TO DIRECT STAFF TO ENTER INTO A LEASE AGREEMENT WITH CRIPPLE CREEK MOUNTAIN ESTATES FOR 42 ACRE FEET AT \$100 PER ACRE FEET. Damman seconded the motion. With all in consensus, THE MOTION CARRIED.

- b. City Attorney Report – Karp, Ncu, Hanlon, PC

Mr. Hanlon asked Council for direction to move to enforce the agreement regarding the Unique Theater. However, Hanlon would rather that he be able to reserve judgment to make decisions as needed. He added that this would give him flexibility if things moved very quickly. He suggested that Council see how the week unfolds before taking action.

- c. Assistant Deputy City Clerk Report – Jennifer Orr.

Nothing to report.

11. Elected Official Reports

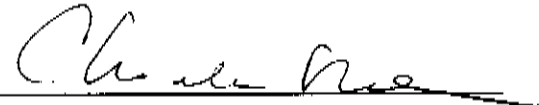
- a. City Treasurer – Eileen Rogers
- b. Mayor – Charles Rose
- c. City Council- Keith Baker, Scott Damman, Jim McCormick, Jay Moore, Steven Stewart, and Tom Yerkey.

Mr. Lewis added that staff will need to work with the school district before the City can enter into agreement with SPOI to apply for a GOCO grant. Everything must be done on a short timeline; with only one month of turn around.

III. ADJOURN –


Moore made a motion to adjourn the meeting at 7:25 p.m. The motion was seconded by Damman. With all in consensus, THE MOTION CARRIED.





Mayor

[SEAL]



Deputy City Clerk

Respectfully submitted by Jennifer Orr, Assistant Deputy City Clerk