



**MINUTES REGULAR MEETING
CITY COUNCIL CHAMBERS**

448 E. 1st Street

Salida, Colorado

July 19, 2011

6:00 p.m.

City Administrator Jack Lewis directed the Assistant Deputy Clerk to take only "action" minutes.

MEETING CALLED TO ORDER –

Mayor Rose called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE –

Led by Mayor Rose

ROLL CALL -

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

Absent were Council Members Jay Moore and Scott Damman.

CITIZEN PARTICIPATION –

Nancy Dominick, a resident living next to the Vandaveer property who has spoken to Council repeatedly about the well the city drilled on her property said she is dissatisfied with the water that she gets out of the well and the problems she has had with the construction of the well. She pleaded with Council to fix her sand, pump and water situation.

Vern Davis, also a citizen of Salida and possibly the caretaker of Ms. Dominick's property spoke to Council. He expressed his frustration that the well is only pumping sand. His impression is that no action is being taken.

SCHEDULED ITEMS -

1. Consent Agenda

- a. Approval of Agenda
- b. Approval of Minutes: June 21, 2011 and Special Meeting Minutes

June 21, 2011

- c. City Property Requests: 1.) EPIC relay
- d. Final Settlement for the 2011 Hot Water Line Phase III project
- e. Final Settlement for the 2011 Sackett Avenue and I street Manhole Replacement Project.

Written materials are included in the packet for the record.

Councilor Yerkey made a motion to approve the consent agenda. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.

1a. Special Events Liquor Permit: Salida Arts Festival and declared as an event of City wide interest.

Resolution 2011-53 a resolution of the City Council of the City of Salida, Colorado declaring Salida Riverside Fine Arts Festival 2011 an event of City Wide Interest.

Administrator Lewis explained that though these approvals are usually fairly routine, this one is not. Last year's event was not been paid until last month when they reapplied for this year's. Whether sales tax has been submitted is questionable. Lewis suggested further investigation of their compliance. Administrator Lewis suggested to Council to hold this item. Written materials are included in the packet for the record.

Yerkey made a motion to table this item to the August 2nd City Council meeting. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Adopting the National Electrical Code 2008 Edition – 2nd reading Public Hearing

Ordinance 2011-13 an ordinance of the City Council of the City of Salida, Colorado, amending Chapter 18, of the Salida Municipal Code adopting the National Electrical Code, 2008 Edition.

Community Development Director, Dara MacDonald presented written materials included in the packet. She added that the County building inspector, Bill Paradise, is here to answer any questions, too. She reiterated that the State statute requires that we adopt 2008 or 2011.

Bill Paradise, Chaffee County Building Inspector, spoke and notified Council that the County did adopt the 2008 NEC.

Attorney Hanlon announced that there will be a hearing in Denver on Monday July 25th in order to voice your concerns.

Mayor Rose opened the public hearing.

Jim Miller, citizen of Salida, urged Council to take an active role with CML in order to actively pursue a legislation solution.

Mayor Rose closed the public hearing

Stewart made a motion to adopt ORDINANCE 2011-13 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18, OF THE SALIDA MUNICIPAL CODE ADOPTING THE NATIONAL ELECTRICAL CODE, 2008 EDITION. Yerkey seconded the motion.

Discussion followed.

All in consensus, THE MOTION CARRIED

Council directed staff to find a way to show the City's displeasure.

3. Award the City of Salida 2011 Sackett Avenue Rehabilitation Project

Resolution 2011-52 a resolution of the City Council of the City of Salida, Colorado approving the contract between the City and Pavement Maintenance Services, Inc. for the construction of the 2011 Sackett Avenue Rehabilitation Project.

Rob Vance, Public Works director, presented written materials included in the packet.

Mayor Rose asked if there were citizen comments. Monica Griesenbeck and Vern Davis both had questions regarding the project that Mr. Vance was able to answer.

Stewart made a motion to approve RESOLUTION 2011-52 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO APPROVING THE CONTRACT BETWEEN THE CITY AND PAVEMENT MAINTENANCE SERVICES, INC. FOR THE CONSTRUCTION OF THE 2011 SACKETT AVENUE REHABILITATION PROJECT. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

4. Approving an Agreement for Naming Rights for Soaking Pools

Resolution 2011-47 a resolution of the City Council of the City of Salida, Colorado, approving a business donor agreement for the Salida Aquatic Center with Monarch Investment and Management Group, LLC.

Theresa Casey, Parks and Recreation Director, presented written materials included in the packet.

Stewart made a motion to approve RESOLUTION 2011-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING A BUSINESS DONOR AGREEMENT FOR THE SALIDA AQUATIC CENTER WITH MONARCH INVESTMENT AND MANAGEMENT GROUP, LLC. McCormick seconded the motion. With all in consensus, THE MOTION CARRIED.

5. Application for a GOCO grant & IGA between the City and School District R-32J-

Resolution 2011-48 a resolution of the City Council of the City of Salida, Colorado, approving a Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado including an IGA between the City of Salida and the Salida School District for the Turf Project.

City Administrator Jack Lewis presented written materials included in the packet for the record.

Yerkey made a motion to approve Resolution 2011-48 a resolution of the City Council of the City of Salida, Colorado, approving a Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado including an IGA between the City of Salida and the Salida School District for the Turf Project. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Letter to the County Clerk establishing participation in the Novemebr 1, 2011 coordinated election including a potential ballot question.

Mr. Lewis called Council's attention to the letter included in the packet. Council supports staff sending the letter.

7. Letter to the Division of Natural Resources releasing the provisions of the land lease at 307 W. Sackett Ave in the City

Jack Lewis presented a letter that is included in packet.

Salida Citizen, Jim Miller, came to the podium to comment that he supports the concept of the Natural Resources Center (NRC) but notified Council that there is some citizen criticism regarding the lack of transparency around the negotiations.

Attorney Hanlon clarified his position on the disposition of City property.

Mayor Rose clarified to the public that it will take two readings of an ordinances before the land is turned over to an owner, other than the City.

Monica Griesenbeck spoke to Council about her frustration with the lack of prior notice of giving away a very valuable piece of property.

More discussion followed between Council, the Mayor, Administrator Lewis and citizen Monica Griesenbeck.

Baker made a motion to authorize Mayor Rose to send the letter to the Division of Natural Resources as modified with additional language. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

8. Administrator/City Attorney/Deputy City Clerk

a. Administrator's Report – Jack Lewis

Yerkey made a motion to authorize the Administrator to augment a water lease to CWPDA by an additional 150 acre feet for one year only at the same compensation as the original 200 acre feet. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

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

Attorney Hanlon had nothing to add.

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

Nine water samples were submitted dated 4/12/11 (2), 5/02/11(3), 5/03/11 (2), and 5/09/11(2). All tested safe as reported by the Colorado Department of Health.

Chaffee County Clerk Joyce Reno requires notification of any ballot issue the city wishes to place on the November 1, 2011 ballot by Friday, July 22, 2011. The notice will need to state the type of issue that will be included on the ballot. This notice will prompt preparation of an Election IGA between the County and the City. If the city does not send written notification by Friday, the County Clerk will assume we will not be participating in the upcoming election.

The 2011 City election ballot will list the Mayor position open for a two-year term. In addition three (3) City Council positions will be listed as open including, one (1) seat for a four year-term for Ward One; one (1) seat for a four-year term for Ward Two; and one (1) seat for a four-year term for Ward Three. The City of Salida is considering a Tabor Issue.

August 2, 2011- Is the first day to pick up nomination petitions at the City Clerk's office and begin circulating.

August 22, 2011- Is the last day to file nomination petitions with the City Clerk's office.

Staff encourages anyone interested in running for the available seats to come by City Hall, 448 E. 1st Street, Suite 112, Salida, CO 81201 and pick up a petition on Tuesday, August 2, 2011.

9. Elected Official Reports

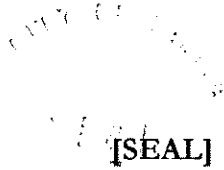
1. City Treasurer, Eileen Rogers, announced the sales tax returns for the month of May. The results were a positive sales tax report for the month of May 2011. This continues a trend of seven months. For sales within the City, tax collections totaled \$300,053 in May and \$1,322,027 for the first five months of 2011. Compared to 2010, May collections increased \$41,040, or 15.8%. The year-to-date collections are up \$111,415, or 9.2%. Compared to 2010, May revenue increased 19.3%. Year-to-date collections increased \$27,154, or 6.4%.

2. Mayor – Charles Rose thanked the SWAT team for their quick response to the bank robbery.

3. City Council- Keith Baker, Jim McCormick, Steven Stewart, and Tom Yerkey added nothing more.

ADJOURN –

Yerkey made a motion to adjourn at 7:37. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.



A handwritten signature in black ink, appearing to read "Clark", is written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to read "Janelle A. Martiny", is written over a horizontal line.

Deputy City Clerk

Respectfully submitted by Jen Orr, Assistant Deputy City Clerk