



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

Salida, Colorado

September 6, 2011

6:00 p.m.

The meeting was called to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE -

Led by Mayor Chuck Rose.

ROLL CALL -

Present at roll call were Mayor Chuck Rose and Council Members Tom Yerkey, Jim McCormick, Jay Moore, and Steven Stewart. Also present were City Treasurer Eileen Rogers, City Clerk Betty Schwitzer, City Administrator Jack Lewis, Deputy City Clerk Janella Martinez and City Attorney Karl Hanlon.

Absent were Councilor Keith Baker and Scott Damman.

CITIZEN PARTICIPATION -

Nancy Dominick, 6508 CR 105, thanked Administrator Lewis and other Council Members for stopping by her property. She continues to express concerns regarding the city built well on her property.

Mayor Rose requested that citizens keep their comments to 3 minutes or less.

Vern Davis voiced concerns regarding the Dominick property well.

Monika Griesenbeck, 701 W. Sackett Ave., thanked Finance Director Jan Schmidt for helping her with a request made to the city.

Mike Corn, 733 ½ W. Sackett Ave., voiced concerns regarding animal licenses and city finances.

PRESENTATION -

City Administrator presented the City Council with a tee shirt from the Local Organizing Committee (LOC) for the support given by the City for hosting the USA Pro-Challenge Bike Race.

1. Presentation by the Salida Natural Resource Center Development Corporation/Pinto Barn

City Administrator Jack Lewis gave an overview of the history of the Salida Natural Resource Center Development Corporation (SNRCDC) and how it has evolved to include the addition of the Pinto Barn.

Lewis introduced Brad Buchannan, BYG Architects, the developer hired by the SNRCDC for the Natural Resource Center (NRC) project. He gave a PowerPoint presentation of the proposed layout of the project, including the Pinto Barn location on the Vandaveer Ranch property. The US Forest Service and the newly merged Colorado Division of Wildlife and Parks plan to participate in locating offices on the Vandaveer Ranch property. Jane Pinto and Bob Grether gave an overview of the Pinto Barn project that will provide products for those with food allergies.

Mayor Rose asked for anyone with questions on these issues to come to the lectern and ask them. Councilor Yerkey asked the Pinto Barn representatives how many jobs the project would create. Ms. Pinto said that there should be around 150 positions filled at build out.

Shelly Copeland, Monika Griesenbeck, Nancy Dominick, Vern Davis and Mike Corn voiced concerns.

SCHEDULED ITEMS-

1. Consent Agenda (Janella Martinez)

- a. Approval of Agenda
- b. Approval of Minutes: August 2, 2011 Minutes, Special Meeting Minutes August 30, 2011
- c. City Property Requests: 1.) Columbine Manor Street Closures

Deputy City Clerk, Janella Martinez, presented written materials that are included in the packet for the record.

c. City Property requests:

1. Columbine Manor is requesting to close 16th Street to host the 6th Annual Life Care Center Summer Games on Thursday, September 8, 2011.

The request is to close 16th Street from I to J Streets from 7:00 a.m. – 1:30 p.m. The signed event check list is included for Council Member review.

ACTION:

Councilor Stewart made a motion to combine and approve the items on the consent agenda. Moore seconded the motion. With all in consensus, **THE MOTION CARRIED.**

2. Amending the Salida Natural Resource Center Development Corporation Development Agreement –

Resolution 2011-59 authorizing the transfer of real property to the Salida Natural Resource Center Development Corporation and approving an amendment to the Development Agreement for Salida Natural Resource Center.

City Attorney Karl Hanlon presented written information that is included in the packet for the record. He gave a verbal overview of the packets for City Council and the public. Revisions were made to the packet materials which were distributed to Council Members at the beginning of the meeting. Council is requested to call a Special Meeting on Tuesday, September 13, 2011 at 6:00 p.m. to vote on the SNRCDC items.

Mayor Rose opened the public hearing and asked for those wishing to speak to limit their comments to three minutes. Mike Corn, Vern Davis and Monika Griesenbeck voiced concerns.

3. Transfer of real property to the Salida Natural Resources Center Development Corporation approving the transfer of the real property to the Salida Natural Resource Center Development Corporation.

City Attorney Karl Hanlon presented written information that is included in the packet for the record. Mayor Rose requested a motion from Council.

A motion was made by Moore to continue the public hearing for RESOLUTION 2011-59 and Ordinance 2011- 14 until September 12, 2011 at 6:00 p.m. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.

4. Ordinance re-authorizing Colorado Water Resources and Power Development Authority Loan Agreement Bond – 2nd reading - Public Hearing

Ordinance 2011-15 an ordinance authorizing the execution and delivery of a loan agreement and governmental agency bond by the City of Salida, Colorado, acting by and through its Water Activity Enterprise, to the Colorado Water Resources and Power Development Authority, such governmental agency bond to be in a principal amount not exceeding \$545,000, for the purpose of financing extensions and improvements to the water system operated by such Enterprise; providing for application of the net revenues of such system to the payment of the principal of and interest on such governmental agency bond and providing other details in connection therewith.

Jan Schmidt, Finance Director presented written materials that are included in the packet for the record. Some members of the council and property owners within the City believe system development fees charged for an accessory dwelling unit (ADU) are too expensive. During numerous discussions regarding this matter, we also recognized a distinction between different uses of ADUs. In some cases, an ADU is constructed as an extension of a single family residence; it just happens to be detached from the primary structure. In other cases, the ADU is constructed with the intent to generate income for the property owner. In cases where the ADU, together with the primary dwelling, represent the residential living space for a single household. The Council has expressed an interest in deferring any system development fees and suspending the separate service charges. If and when the property becomes a multi-family residence either by renting the ADU or the primary dwelling, system development fees would apply.

The agreement attached as exhibit A would be used to define the terms under which fees would be deferred. The agreement will be recorded with the County and released upon payment of system development fees and any other fees or charges deferred by the City for the ADU.

Mayor Rose opened the public hearing and for anyone wishing to speak to come to the lectern to do so.

Mike Corn voiced concerns regarding the Water and Sewer Enterprise funds.

Mayor Rose closed the hearing and requested a motion by Council.

Moore moved to approve Ordinance 2011-15 an ordinance authorizing the execution and delivery of a loan agreement and governmental agency bond by the City of Salida, Colorado, acting by and through its Water Activity Enterprise, to the Colorado Water Resources and Power Development Authority, such governmental agency bond to be in a principal amount not exceeding \$545,000, for the purpose of financing extensions and improvements to the water system operated by such Enterprise; providing for application of the net revenues of such system to the payment of the

principal of and interest on such governmental agency bond and providing other details in connection therewith, on second reading and ordered the ordinance be published by title only.

5. Appointing a Municipal Judge –

Resolution 2011-57 approving appointment of a Municipal Judge for the Salida Municipal Court.

City Administrator, Jack Lewis, presented written materials that are included in the packet for the record. City Council members interviewed several candidates for this position and have chosen to appoint Larry Dean Allen of Canon City, CO. A discussion followed.

Moore made a motion to move this item to the September 13th Special Meeting Agenda. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Amending Water and Wastewater fees -

Resolution 2011-58 amending the fee schedule for Chapter 13 of the Salida Municipal Code, “Municipal Utilities”

In May of this year, City Council repealed and reenacted Chapter 13, Municipal Utilities. One of the changes in the new code provides that fees will now be set by resolution of the Council rather than being part of the code. This resolution amends the existing fee schedule to add three additional items for new provisions in the code.

Accessory Structures

The new code provided for a change in the treatment of residential properties that include both a primary and accessory structure. To reduce quarterly service charges for the account, the owners of such properties may restrict the use of the property as a single-family residence. In other words, the primary and accessory structures could not be PRIMARILY occupied by the owner and/or renter(s).

Such properties already in existence would benefit by a reduction in base service fees of \$42.21 (\$57.81 in service charges less \$15.60 in usage charges) per quarter. Currently, the service fees for an unrestricted accessory unit are 50% of the base service fees for a regular living unit (which add up to \$115.61 per quarter).

In the case of new accessory structures for which no system development fees have yet been paid, the City will agree to defer collection of system development fee payments and service charges if the property owner restricts use of the structures as a single-family residence.

It is staff's intention to have the property owner cover the administrative costs associated with these agreements, which must be recorded with the Office of the Chaffee County Clerk and Recorder. The county charges \$6 for the first page and \$5 for each additional page to record documents. Staff has proposed a fee of \$40 for each agreement to cover both the recording fees and some staff time.

Disconnection of Water Service Line

Section 13-2-210 provides that “any property owner who desires to disconnect a water or wastewater service line must give written notice to the City.” We developed a form that a property owner must complete to give written notice to the City of the intent to disconnect service.

The notice includes the following important acknowledgments of this action:

- Discontinuance of service forfeits all rights to water and/or wastewater services for the account identified above that are provided through a connection to the City's system(s). Should such services be desired in the future for the Property, all applicable system development fees, resource fees, special assessments, and any other new connection fees generally charged shall be applied prior to approval of a reconnection.
- Future service to the Property is not guaranteed and is subject to available capacity at such time as reconnection may be requested.
- Responsibility for the water and/or wastewater service line for which abandonment is requested remains the responsibility of the Property owner.

The Public Works Department will perform the service line disconnection, and the owner must pay for all costs incurred by the Department in completing the disconnection. Public Works Director, Rob Vance, has estimated the cost for this service will be \$50. The revised fee schedule includes a new line item for this charge.

Stewart made a motion to adopt RESOLUTION 2011-58 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO AMENDING THE FEE SCHEDULE FOR CHAPTER 13 OF THE SALIDA MUNICIPAL CODE, "MUNICIPAL UTILITIES." Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Administrator/City Attorney/Deputy City Clerk

a. Administrator's Report –

Administrator Lewis requested Council have a discussion regarding the proposed pocket park on West 1st Street during the meeting September 13, 2011.

Lewis informed Council that there will be a ceremony on Sunday, September 11, 2011 at Riverside park for honoring and remembering those who lost their lives on 9-11 at 10 am on Sunday.

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

City Attorney Karl Hanlon had nothing to report.

c. Deputy City Clerk -

Deputy City Clerk Janella Martinez had nothing to report.

12. Elected Official Reports -

a. Treasurer-

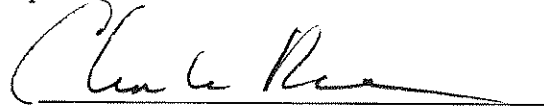
City Treasurer, Eileen Rogers, had nothing to report.

b. Mayor –

Mayor Rose thanked his fellow colleagues for taking time to attend the morning worksession and staying to continue into interviews which weren't completed until about 2:30 p.m.

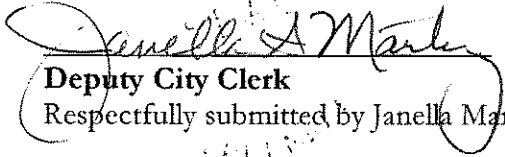
c. City Council-

Moore moved to adjourn the meeting at 7:46 p.m. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.



Mayor

[SEAL]



Deputy City Clerk

Respectfully submitted by Janella Martinez, Deputy City Clerk