

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

Salida, Colorado

February 7, 2012

6:00 p.m.

The meeting was called to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE –

Led by Mayor Don Stephens.

ROLL CALL -

Present at roll call were Mayor Don Stephens, Council Members Keith Baker, Jim McCormick, Jay Moore, Steven Stewart, Michael Bowers and Tom Yerkey. Also present were Interim City Administrator Dara MacDonald, City Clerk Betty Schwitzer, Treasurer Eileen Rogers, Deputy City Clerk Audrey Gilpin and City Attorney Karl Hanlon.

CITIZEN PARTICIPATION -

PRESENTATION –

1. Small Business Development Center – Marilyn Laverty

Laverty arrived at 6:20 p.m., and she passed reference materials out to councilmen for the record. The Small Business Development Center has seven available spaces to rent. Since inception of the program, there have been seven businesses renting space – two photographers, one publisher, one web designer, a director for a not for profit and a contractor. The development center offers business consulting services at no charge to the tenants.

SCHEDULED ITEMS-

1. Consent Agenda (Audrey Gilpin)

- a. Approval of Agenda
- b. Approval of Minutes: January 17, 2012
- c. Final Settlement for the 2011 Sackett Avenue Rebuild Street Project – Pavement Maintenance Services, Inc.

Yerkey made a motion to approve and combine the consent agenda. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Physician Advisor Professional Services Agreement (Don Taylor)

Resolution 2012-09 approving a professional services agreement for physician advisor services with Richard M. Ruiter, M.D.

Stewart made a motion to approve Resolution 2012-09 a resolution of the City Council of the City of Salida, Colorado, approving a professional services agreement for physician advisor services with Richard M. Ruiter, M.D. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Public Hearing for Spotted Dog, LLC dba Benson's Hotel & Restaurant Liquor License w/concurrent review (Audrey Gilpin)

Moore made a motion to approve the Hotel & Restaurant Liquor License with concurrent review for Spotted Dog, LLC dba Benson's, 128 North F Street, Salida, Colorado. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.

4. Lease with Heart of the Rockies Chamber of Commerce – 2nd Reading (Dara MacDonald)

Ordinance 2012-02 approving a commercial lease with Heart of the Rockies Chamber of Commerce.

Baker made a motion to continue the public hearing for Ordinance 2012-02 until February 21, 2012. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

5. Lease with Salida Museum Association – 2nd Reading (Dara MacDonald)

Ordinance 2012-03 approving a commercial lease with Salida Museum Association.

Moore made a motion to approve Ordinance 2012-03 an ordinance of the City Council of the City of Salida, Colorado, approving a commercial lease agreement with Salida Museum Association, and ordering the ordinance to be published by title only. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Lease Amendment with Western State College – 1st Reading (Dara MacDonald)

Ordinance 2012-04 approving an amendment to the September 15, 2012 lease agreement with Western State College.

Baker made a motion to approve Ordinance 2012-03 an ordinance of the City Council of the City of Salida, Colorado, approving an amendment to the September 15, 2010 lease agreement with Western State College, setting the public hearing date for February 21, 2012, and ordering the ordinance to be published in full. Moore seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Designating Downtown Salida as a Creative District

Resolution 2012-10 authorizing the creation of a "Creative District" in Salida.

Stephens asked if the creation of a Creative District in Salida would engender any bureaucracy.

MacDonald said designating downtown as a Creative District is purely honorary, creates no restrictions on properties and doesn't impose on anyone's rights.

Moore asked how the map was created.

MacDonald said she looked at downtown as a whole. The SteamPlant is an anchor; it's a venue for arts in the community. Toubert Building acts as a civic anchor and hosts the business development center. In addition, the Salida library is an important civic building and hosts art gallery space.

Discussion continued.

Jim Miller of Salida said he moved to Salida mainly because of the art community. His personal desire to have a studio where he could live and work did not come to fruition. He suggested altering codes for more flexibility to have a studio space you can live in. He said a Creative District seems like a positive step. Many people in the community see city government as a road block in creative efforts instead of a partner.

Discussion continued.

Moore made a motion to approve Resolution 2012-10 a resolution of the City Council of the City of Salida, Colorado, authorizing the creation of a “Creative District” in Salida, Colorado. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

8. Administrator/City Attorney/Deputy City Clerk

a. Interim Administrator Report – Dara MacDonald

1. Hutchinson Homestead Sewer Exemption

MacDonald said if the sewer exemption is passed tonight, the Hutchinson Homestead must apply to County Board of Public Health who will be the final decision maker.

Language in the recommended motion states the exemption is just for this scope of the project. If there are changes, the exemption would be revisited.

Discussion continued.

Joe Deluca of Salida spoke of possible costs to expand the sewer line.

Bob Grether of Salida said an area around the homestead is in a conservation easement.

Discussion continued.

Bowers said his concern is development of the Starbuck property or property adjacent of homestead toward Poncha. He would like to see us ask in lieu of passing this exemption if the city can be guaranteed an easement across the west side of the property.

MacDonald said typically the City would go up CDOT’s right of way. That’s where most of our mains are, unless you’re thinking of developing somewhere off the highway.

Discussion continued.

Baker made a motion to approve waiving the prohibition on new onsite wastewater treatment facilities to serve the Hutchinson Homestead visitor center due to the limited use nature of the visitor center and the conservation easement on the surrounding property which limit the potential for further nearby development. The waiver is limited to visitor center use based on current projections and any expansion of that use, significant deviation from projections in wastewater production, or new development will trigger the requirement to connect the sewer main. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Golf Club Funding Request

A Council person should make a motion to approve the requested funding of \$10,000 for the Greater Salida Recreation Corporation.

Jim Luchetta, golf course superintendent, said the total project cost is \$15,000, but they are only requesting \$10,000.

MacDonald supplied a financial statement to council via e-mail.

Luchetta said the existing electrical service is too small. They can’t run at capacity.

Discussion continued.

Yerkey made a motion to approve funding two-thirds of the project cost not to exceed \$10,000 for the Greater Salida Recreation Corporation. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

3. OHV Use

MacDonald asked council to consider taking a formal position regarding OHV use on County Roads 173, 175 and 176. She said CR 173 is already open to OHV when it crosses BLM land.

Stewart motioned to object to any OHV use on County Roads 181, 182, 173, 175, and 176. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

4. Salida Siding Trail Update

MacDonald said on February 14 Chaffee County Commissioners will entertain a request to help with purchasing the Salida Siding Trail update. Greater Outdoor Colorado representatives will have a site tour of the area in Salida April 6th. On April 9th or 10th, MacDonald will make a formal presentation to the GOCO board. On February 9th, the appraiser is coming to Salida

5. NACP Grant Award

Kristi Jefferson applied for and was awarded a CLG grant to fund all expenses for both her and an HPC member to travel to and attend the National Alliance for Preservation Commissioners bi-annual conference in Norfolk, VA in July. Kudos to her.

6. Wastewater Treatment Plant Update

MacDonald provided recent Wastewater Treatment Plant pictures to show council project progress.

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

- 1. NRC Project update

Hanlon said they signed the lease with the forest service.

- c. Deputy City Clerk Report – Audrey Gilpin – No report.

9. Elected Official Reports

- a. City Treasurer – Eileen Rogers – No report.
- b. Mayor – Don Stephens – Encouraged people to attend an art construction performance at SteamPlant featuring Jimmy Descant aka “Rocketman.”
- c. City Council- Keith Baker, Michael Bowers, Jim McCormick, Jay Moore, Steven Stewart, and Tom Yerkey –
Baker gave an update on a recent Airport Board retreat.
Yerkey congratulated MacDonald and Hanlon on the signed Forest Service lease for the Natural Resource Center.

Moore motioned to adjourn to executive session for (1) A conference with the City attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). And the following additional details are provided for identification purposes: To discuss the Milk Run Trail and Dominick Water Supply; (2) For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). And the following additional details are provided for identification purposes: To discuss Poncha Hot Springs, Schmueser Gordon Meyer Estimating Errors and the Natural Resource Center.

Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

Mayor Don Stephens announced the time as 7:25 p.m.

Those present during the executive session were Mayor Don Stephens, Councilmen Jim McCormick, Tom Yerkey, Mike Bowers, Steven Stewart, Jay Moore, and Keith Baker. Also present were City Attorney Karl Hanlon and Interim City Administrator Dara MacDonald.

Executive session concluded at 8:19 p.m. No decisions were made.

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A motion was made by Moore to adjourn the meeting at 8:20 p.m. Stewart seconded the motion. With all in consensus, THE MOTION CARRIED.

[SEAL]

Mayor

Deputy City Clerk

Respectfully submitted by Audrey Gilpin, Deputy City Clerk