



**MEETING MINUTES OF THE CITY COUNCIL**  
**City Council Chambers**  
**448 East 1<sup>st</sup> Street, Room 190**  
**City of Salida, Colorado**  
**Tuesday, March 4, 2014 7:00 p.m.**

**I. REGULAR MEETING CALLED TO ORDER**

**II. PLEDGE OF ALLEGIANCE** – Led by Mayor Jim Dickson

**III. ROLL CALL** –

Present at roll call were Mayor Jim Dickson, Council Members Eileen Rogers, Melodee Hallett, Mike Bowers, Keith Baker, Hal Brown and Tom Yerkey. Also present were City Administrator Dara MacDonald, City Attorney Karl Hanlon, City Clerk Betty Schwitzer, City Treasurer Cheryl Brown-Kovacic and Deputy City Clerk Audrey Gilpin.

**IV. CITIZEN PARTICIPATION** – 3 minute time limit

Adam Martinez of Salida asked about City Council meetings being on YouTube, mats at the Salida Hot Springs Pool, acquiring a local attorney and stoplights on Highway 50.

Jeff Auxier of 217 Sackett, Salida referenced the City publishing legal fees. He referenced the city administrator's role in the proposed land use code. He said his budget lawsuit is important.

Monika Griesenbeck of Salida said she could not find item #6 in the city council packet. MacDonald projected the city council packet, including the item Griesenbeck could not find, and said the item was in the packet. Griesenbeck referenced the municipal code, trees and a budget for trees in the 2014 budget.

Jan Sebastian of Salida asked if the Salida Natural Resource Center Board appointments were on this meeting's agenda. Council said no.

**V. PRESENTATION**

**VI. NEW BUSINESS**

**VII. SCHEDULED ITEMS**

**1. Consent Agenda** (Audrey Gilpin)

- Approval of Agenda
- Approval of Minutes: February 18, 2014 and Special Meeting February 27, 2014
- Property Requests & Special Event Liquor Permits: Land Trust of the Upper Arkansas and GARNA Special Event Liquor Permit April 10.
- Street Closure: Salida ArtWalk June 27-29, 2014
- Final Payment for the 2013 Salida Tenderfoot Tower Installation Project

**Yerkey motioned to combine and approve the consent agenda. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

## 2. ArtWalk Community Support Request

Lenny Brooks referenced the ArtWalk for the community support request. He referenced a survey that was e-mailed to council and projected during the council meeting for the record.

Bowers said the community support request funds have been distributed for this year.

Rogers referenced the deadline for community support requests for the 2014 budget cycle.

Discussion continued.

Brooks said Council should not have asked him to return with more information if they were not going to give them the funds. He referenced the community support request funds going toward the Pro Challenge.

There was no motion to approve the request.

## 3. Budget Task Force Report

Brown referenced the progress of the Budget Task Force and requested a special work session be held before the next regular meeting to discuss the findings.

**Baker motioned to hold a special work session at 6:00 p.m. March 12 in Council Chambers to discuss the Budget Task Force findings regarding water and sewer rates. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.**

## 4. D Street Vacation 2<sup>nd</sup> Reading and Public Hearing (Michael K. Yerman)

Ordinance 2014-03 vacating a portion of North D Street lying between East Sackett Street and the Arkansas River in the City of Salida.

Yerman referenced a memo provided in the city council packet for the record. He thanked Donna Rhoads for her help with the grant application.

Dickson opened the public hearing.

Adam Martinez asked Yerman what this ordinance is for. Yerman said the ordinance is the last easement needed for the Salida River Trail.

Dickson closed the public hearing.

**Baker motioned to approve Ordinance 2014-03, an ordinance of the City Council for the City of Salida, Colorado approving vacating a portion of North D Street lying between East Sackett Street and the Arkansas River in the City of Salida and ordered the ordinance to be published by title only. Brown seconded the motion.**

Yerkey asked if everyone on council is in favor of the trail. Council members answered in the affirmative. Yerkey asked Hallett directly if she is in favor of the trail, and she said she has no problem with the trail.

**With all in consensus, THE MOTION CARRIED.**

## 5. Third Amendment to the NRCDC Development Agreement (Dara MacDonald)

Resolution 2014-18 approving the third amendment to the NRCDC Development Agreement.

MacDonald referenced a memo provided in the city council packet for the record.

Baker said the objective is to hold public meetings and create a master plan for what's left of the Vandaveer Ranch.

Brown said what the modification does is lift the restrictions. He said currently the NRCDC is restricted to the resource campus, and he agreed the modification should occur. He questioned who the appropriate entity to development the property is and whether the right mission statement and business plan is in place. He asked if the NRCDC Board should be dissolved, and the City take it over.

Yerkey said those are all valid concerns and by lifting the restrictions, those concerns can be addressed.

Hallett said she'd be inclined to dissolve the NRCBC Board.

Baker disagreed. He said the questions Brown asked could be addressed by the NRCDC Board.

Hanlon referenced municipal bond financing.

Discussion continued.

Hallett suggested starting the project over.

Yerkey disagreed and said the project has been in motion for 10 years.

Discussion continued.

Jeff Auxier of Salida referenced dissolving the Board and allowing bond debt to go to a vote. He referenced water rights.

Brown said the land is separate from the water rights.

Auxier said Hanlon consults a tax attorney.

Baker called a point of order.

Adam Martinez asked about the function of the NRCDC Board.

Griesenbeck said the NRCDC is dividing the community.

Jan Sebastian of Salida said he's lived in this town for 40 years and he doesn't recall anything that this City has ever done right. Baker called a point of order. Sebastian said the current NRCDC Board isn't competent.

Ray Kitson of Salida and NRCDC Board member said he would like to see council move forward with the resolution as it will allow the Board to address the concerns brought up by Brown. He said Bowers supported the use of Vandaveer land for educational and workforce opportunities.

Discussion continued.

**Bowers motioned to continue the item until the next council meeting. Hallett seconded the motion.**

MacDonald asked if Council would like to see something new in the resolution.

Discussion continued.

MacDonald said discussion regarding the NRCDC is scheduled for the April 1<sup>st</sup> work session.

**Council voted on the original motion. In a 3-3 vote, Mayor Dickson voted against the motion, and THE MOTION FAILED. Brown, Hallett and Bowers voted for the motion. Yerkey, Rogers and Baker voted against the motion.**

**Rogers made a motion to approve Resolution 2014-18, a resolution of the City Council of the City of Salida, Colorado, approving the third amendment to the Development Agreement. Baker seconded the motion. In a 4-2 vote, THE MOTION CARRIED. Hallett and Bowers had the dissenting votes.**

Baker asked Brown to formalize his list of questions for the Board.

**Yerkey motioned to go past 8:00 p.m. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.**

#### **6. Solar Power Purchase Agreement 1<sup>st</sup> Reading (Dara MacDonald)**

Ordinance 2014-04 approving a solar power purchase agreement with SS Salida, LLC.

MacDonald referenced a memo provided in the city council packet for the record.

Brown asked about ramifications regarding property and casualty insurance.

MacDonald said there are none.

Yerkey asked Curtis Scheib with EcoDepot about the proposal with his investors.

Scheib spoke regarding his investors' proposal and referenced a memo provided for the record. He suggested Council continue the first reading of this ordinance to their next meeting.

Scott Estep, Scheib's partner, also spoke.

Dan Ferguson with Lighthouse Solar spoke regarding his investors' proposal. He said he is actively looking to hire a local installer if the proposal is approved.

Discussion continued.

**Baker made a motion to approve Ordinance 2014-04, an ordinance of the City Council of the City of Salida, Colorado, approving a solar power purchase agreement with SS Salida LLC, setting the public hearing date for April 1, 2014 and ordering the ordinance to be published in full. Rogers seconded the motion. In a 4-2 vote, THE MOTION CARRIED. Hallett and Bowers had the dissenting votes.**

## 7. Administrator/City Attorney/Deputy City Clerk

- a. City Administrator Report – Dara MacDonald

MacDonald referenced a memo provided in the city council packet for the record.

Bowers said moving the caboose is a homecoming for the caboose and represents the beauty of the area.

Hallett said she thought it wasn't going to cost any money.

Earle Kittleman of Salida referenced a letter not supporting the removal of the caboose from its current location submitted by the Museum Board provided in the city council packet for the record.

**Bowers made a motion to spend \$3,000 for the caboose relocation, landscaping and installation of security cameras. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

MacDonald referenced an affordable housing field trip.

- b. City Attorney Report – Karp, Neu, Hanlon, PC – No report.  
c. Deputy City Clerk Report – Audrey Gilpin – No report.

## 8. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic

Cheryl thanked Council for agreeing to a special work session regarding the Budget Task Force's findings regarding water and sewer rates.

- City Clerk – Betty Schwitzer – No report.
- Mayor – Jim Dickson
- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.

Rogers suggested changing making a motion to go past 8:00 p.m. to 9:00 p.m.

Hallett said Council needs to set date to discuss legal fees. Yerkey said he is evaluating that personally, and he doesn't have an interest in setting a date for a meeting. Brown said he is not ready to set a date for discussion, and Baker said he has no interest.

Hallett asked if the City should draft the budget in the format Jeff Auxier wants it.

Baker said he does not see any reason.

Brown said he doesn't see any reason to change procedure because of a particular individual.

MacDonald recommended Council discuss the format at the beginning of the budget process for the 2015 budget.

**Rogers made a motion to adjourn to executive session at 10:18 p.m. for 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: (1) specifically to discuss the Dominick Water Supply matter. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.**

Mayor Dickson announced the time as 10:25 p.m.

Present for the executive session were Mayor Jim Dickson, Council members Eileen Rogers, Mike Bowers, Keith Baker, Hal Brown, Melodee Hallett and Tom Yerkey. Also present were City Administrator Dara MacDonald and City Attorney Karl Hanlon.

Executive session concluded at 10:30 p.m.

Council members reported back to Council Chambers.

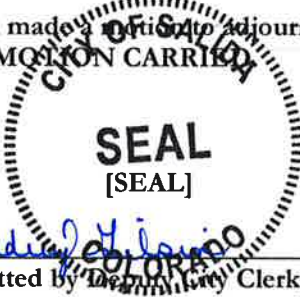
Hanlon said Nancy Dominick proposed amending the stipulation agreement Council recently agreed to. He asked Council for direction as to whether they would like to amend the stipulation.

Baker, Brown, Yerkey and Rogers said they would like to keep the stipulation as is. Hallett disagreed. Hanlon recommended a vote given the disagreement.



Baker made a motion to leave the stipulation agreement recently agreed to with Nancy Dominick as is. Rogers seconded the motion. With all in favor and no one opposed, **THE MOTION CARRIED.**

Brown made a motion to adjourn at 10:33 p.m. Bowers seconded the motion. With all in consensus, **THE MOTION CARRIED.**



A handwritten signature in blue ink, appearing to be "James Bowers", is written above a horizontal line.

Mayor

A handwritten signature in blue ink, appearing to be "Audrey Gilpin", is written above a horizontal line.  
Submitted by Deputy City Clerk, Audrey Gilpin