



MEETING MINUTES OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, March 18, 2014 6:00 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 Acting City Administrator Jan Schmidt, City Attorney Karl Hanlon, City Clerk Betty Schwitzer, City Treasurer Cheryl Brown-Kovacic and Deputy City Clerk Audrey Gilpin.

Absent was City Administrator Dara MacDonald.

IV. CITIZEN PARTICIPATION – 3 minute time limit

PJ Bergin of Salida encouraged Council to keep the planned increase for water and sewer rates.

Ira Curry of Salida referenced Auxier's budget lawsuit stating the lawsuit is procedural nit picking. He said the annual budget is audited, and the audits have come back with glowing reports every year.

Cynda Green of Salida said she supports the Public Art Task Force. She said she supports Ron Mazzeo for the NRCDC Board because she thinks some new blood would be good.

Jeff Auxier of Salida said there are a lot of issues on the agenda, and he asked if the public will be able to speak regarding the NRCDC Board. He said let the record note that there will not be public comment regarding this item at the request of Baker. Auxier said the City has committed fraud regarding passing one budget and submitting another budget.

Jimmy Descant of Salida said as an artist he encouraged council to establish the Public Art Task Force.

Jan Sebastian of Salida thanked Hal Brown regarding the effort of the budget task force. He asked Council if they'd like to invest their own money in the NRCDC Board.

Toni Tischer of Salida spoke in favor of the Public Art Task Force.

Monika Griesenbeck of Salida said on March 4th she asked what was budgeted in the 2014 budget for maintaining trees. She said she would like to have a budget that is clear and easy to read like in 2001. She supported Auxier's request to do the latter, and she said at what public meeting did Council decide to defend Auxier's budget lawsuit.

Cathy Chochon of Salida said she is concerned with Table 16D in the proposed land use code. She said she does not want to see mobile homes expanding. She also said she is in favor of a more detailed budget and having Ron Mazzeo on the NRCDC Board.

Billy Carlisle of Salida said he prays for leaders, U.S. troops around the world and volunteers, and that he is thankful for friends and neighbors who serve in those roles. He commented on the expanded roles of the NRCDC and said the NRC budget should be in the City budget.

V. PRESENTATION

VI. NEW BUSINESS

VII. SCHEDULED ITEMS

1. Consent Agenda (Audrey Gilpin)

- Approval of Agenda
- Approval of Minutes: March 4, 2014
- Property Requests & Special Event Liquor Permits: Boys and Girls Club of Chaffee County Special Event Liquor License Permit March 29th

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

2. FIBArk Festival Application and Permits (Audrey Gilpin)

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

Chris Kolomitz, FIBArk President, thanked City staff and said Council has a good group working for them.

Yerkey asked about toilet facilities.

Discussion continued.

Bowers asked about an emergency plan and whether the City's lease with the Union Pacific for the parking area allows camping.

Gilpin said she would look into that and get back to Kolomitz regarding the camping and overnight parking request.

Baker made a motion to approve FIBArk's application for use of city property, street closures, a special event liquor license and overnight camping for their event June 12th through June 15th. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Country Bounty Hotel and Restaurant Liquor License Application and Public Hearing (Audrey Gilpin)

Gilpin referenced a memo in the city council packet for the record.

Aaron Dobson, Country Bounty manager, thanked staff.

Dickson opened the public hearing. No one spoke. Dickson closed the public hearing.

Baker made a motion to approve a Hotel and Restaurant Liquor License for Salida Spa, Inc. dba Country Bounty Restaurant and Gift Shoppe. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

4. NRCDC Board Appointments (Jan Schmidt)

Resolution 2014-04 appointing members to serve on the Board of Directors of the Salida Natural Resource Center Development Corporation.

Brown motioned to approve Resolution 2014-04, a resolution of the City Council of the City of Salida, Colorado, as amended by this motion, approving the following appointments to the board of the Salida Natural Resource Center Development Corporation

1. **Walt Harder – regular member**
2. **Ray Kitson – regular member**
3. **Ron Mazzeo – alternate member**
4. **Keith Baker – representative of the City Council**
5. **Tom Yerkey – representative of the City Council**

All the foregoing appointments, and all previous appointments, are subject to completion of an exhaustive review of the NRCDC by the City Council which will determine at minimum,

1. **The purposes, powers and restrictions on powers of the corporation**
2. **The composition of the board of directors**
3. **The duties, responsibilities and terms of office of all board members, and**
4. **The explicit and unambiguous relationship between the Corporation and City Council.**

The above review and determinations shall be completed and published not later than June 16, 2014.

Any business conducted by the NRCDC prior to June 16, 2014 shall be brought to the City Council for approval, with the stipulation that Council members sitting on the NRCDC Board shall not vote on such business as Council members. Rogers seconded the motion.

Hallett said she would like to see the NRCDC Board absorbed into the City, downsized and for council members on the board to not vote on the board.

Yerkey said he thinks Hallett's concerns have been addressed by Brown's motion.

Hallett amended Brown's motion to reevaluate the NRC status in two months, instead of three months, and if council members are kept on the NRCDC Board, then they should not have voting rights on the board. No one seconded the motion.

Discussion continued regarding Brown's motion.

Mayor called for a roll call vote. Yerkey abstained from voting based on a request from Hallett. In a 4-1 vote, THE MOTION CARRIED. Hallett had the dissenting vote.

5. Historic Preservation Board Appointments (Michael K. Yerman)

Resolution 2014-20 approving citizen appointments to the Historic Planning Commission.

Yerman referenced a memo provided in the city council packet.

Yerkey made a motion to approve Resolution 2014-20, a resolution of the City Council for the City of Salida, Colorado, approving the appointment of Lee Hunnicutt as a member of the Historic Preservation Commission. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Recreation Advisory Board Appointments (Theresa Casey)

Resolution 2014-21 approving citizen appointments to the Recreation Advisory Board.

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

Rogers made a motion to approve Resolution 2014-21, a resolution of the City Council for the City of Salida, Colorado, approving the appointment of Andrea Carlstrom, Diana Porter and Lisa DeYoung as regular members of the Recreation Advisory Board for the term specified in the Resolution. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Public Art Task Force Appointments (Michael Varnum)

Resolution 2014-22 approving formation of and appointments to a Public Art Task Force.

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

Baker said he was impressed with what the task force will be able to take on.

Baker made a motion to approve Resolution 2014-22, a resolution of the City Council of the City of Salida, Colorado, approving formation of and appointments to a Public Art Task Force. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

8. David Larcum's Community Support Request for Mural (Jan Schmidt)

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

Katy Grether of Salida with Historic Salida, Inc. said Council could be setting a precedent by approving murals at this point and that murals in the downtown areas should go through the historic process.

Hallett said Larcum may have locked horns with those artists who were assigned to the Public Art Task Force. She said there are many ideas as to what art is.

Lisa Marvel of Salida said David Larcum came to her for support from the Salida Council for the Arts, and she didn't feel comfortable making that recommendation.

William Boddy of Salida said there is a sign code in the current ordinance, and it should be addressed in that way regardless of content. He said hopefully the task force can make it work, and he said there is always contention.

Brown motioned to deny the fee waiver request. Hallett seconded the motion. With all in consensus, THE MOTION CARRIED.

9. Chapter 16 Land Use Code Adoption 1st Reading (Michael K. Yerman)

Ordinance 2014-05 repealing and reenacting Chapter 16 of the Salida Municipal Code, Land Use and Development Code adopted by the City of Salida via Ordinance 2012-24 and amending parts thereof.

Hanlon recommended Council continue the first reading to April 1st. He said Jeff Auxier brought up a good point about a voided ticket, and he said the added time would give Council time to consider the mural versus sign issue in the code.

Hallett asked who she should address if she has questions.

Hanlon said Yerman.

Hallett asked if a special meeting could be held regarding the land use code. Council did respond in the affirmative.

Brown made a motion to continue the first reading of Ordinance 2014-05 until April 1, 2014. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

10. Caboose Landmark Designation 1st Reading (Michael K. Yerman)

Ordinance 2014-06 designating the 1886 Narrow Gauge Caboose #0576 A Local Historic Landmark.

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

Yerkey congratulated the mayor on this accomplishment.

Baker made a motion to approve Ordinance 2014-06, an ordinance of the City Council of the City of Salida, Colorado, designating the 1886 narrow gauge caboose #0576 as a local landmark, setting the public hearing for April 1, 2014 and ordering the ordinance to be published in full. Rogers seconded the motion. With all in consensus, THE MOTION

CARRIED.

11. E9-1-1 Surcharge Increase, Intergovernmental Agreement with Chaffee County Sheriff's Office and Emergency Telephone Service Authority, Second Amendment to the 2006 IGA Concerning E9-1-1 Service (Terry Clark)

Resolution 2014-23 providing for an increase in the Emergency Telephone Charge, approving certain amendments to the intergovernmental agreement dated August 15, 2006 concerning the implementation of an E9-1-1 emergency telephone service and approving an IGA concerning the Chaffee County Emergency Telephone Service Authority's sharing of Chaffee County Dispatch services.

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

Bowers asked about cell phones.

Hallett asked about whether this fee increase will cover cost.

Discussion continued.

Baker made a motion to continue the meeting passed 8:00 p.m. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

Hallett made a motion to approve Resolution 2014-23, a resolution of the City Council of the City of Salida, Colorado, providing for an increase in the Emergency Telephone Charge, approving certain amendments to the intergovernmental agreement dated August 15, 2006, concerning the implementation of an E9-1-1 Emergency Telephone Service and approving an IGA concerning the Chaffee County Emergency Telephone Service Authority's sharing of Chaffee County Dispatch Services. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

12. Consideration of Budget Task Force Recommendations on Utility Rates

Brown motioned to revise the previously approved water and sewer user rate fee schedule to the 2013 level. Hallett seconded the motion.

Baker said there are still capital and street improvements that need to occur, which could be very costly. He said the Budget Task Force brought the same information Jan Schmidt had told Council, and he said the majority of the task force recommends the increase.

Discussion continued.

Brown said he is not convinced.

Yerkey said he was on the Council last year. He said the first suggestion was a 5% increase, and Council got a 5% increase down to a 2% increase. He said it took a lot of work to get there.

Yerkey said the task force did their job. He said two members said leave the increase and one member said roll it back.

Discussion continued.

Brown-Kovacic explained what a utility assistance program could look like and how those that have difficulty paying their utility bill can get assistance.

Yerkey amended Brown's motion to roll back to a 1% increase, instead of a 2% increase, in water and sewer user fees for the 2014 fee schedule. Baker seconded the motion.

Council then voted on the amendment.

In a 3-3 vote, the Mayor broke the tie to pass the amendment. Brown, Yerkey and Baker voted yes. Bowers, Rogers and Hallett voted no.

Council then voted on the main motion now amended to roll back to a 1% increase, instead of a 2% increase, in water and sewer user fees for the 2014 fee schedule.

In a 5-1 vote, THE MOTION CARRIED. Hallett had the dissenting vote.

13. Administrator/City Attorney/Deputy City Clerk

a. City Administrator Report – Jan Schmidt

Schmidt referenced a memo provided in the city council packet.

Rogers motioned to donate vehicles. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

Council gave staff direction to draft an ordinance to include medium sized trees in the parkways.

Schmidt referenced the CML Annual Conference in Breckenridge.

Council discussed scheduling a special work session to discuss the NRCDC.

Schmidt referenced a request from KHEN. Council did not take up the request during the meeting.

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

Hanlon said he distributed a memo to council.

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

14. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic
- City Clerk – Betty Schwitzer
- Mayor – Jim Dickson

Dickson referenced Terry Gills originally donating the caboose to the City.

- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.

Bowers said he’s excited about the caboose. He said Kathleen Nelson donated a water fountain.

Brown said he’s feeling good about working together with the Council, and that he’s hopeful the spirit of cooperation will transpose into the community.

Yerkey agreed with Brown.

Rogers said she often helps Dickson to hear during the council meeting, referencing a letter to the editor in the Mountain Mail, but does not tell him how to vote. She said let’s be more cautious about criticizing each other.

Dickson said for the record he votes his own mind, and he doesn’t need encouragement from Council. Baker echoed Brown.

Hallett said the Council hasn’t finished business regarding a grievance and whistle blowing policy. She said she would like Council to discuss legal counsel and expense and to make a decision one way or the other.

Bowers motioned to adjourn at 8:44 p.m. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

Mayor

[SEAL]

Submitted by Deputy City Clerk

